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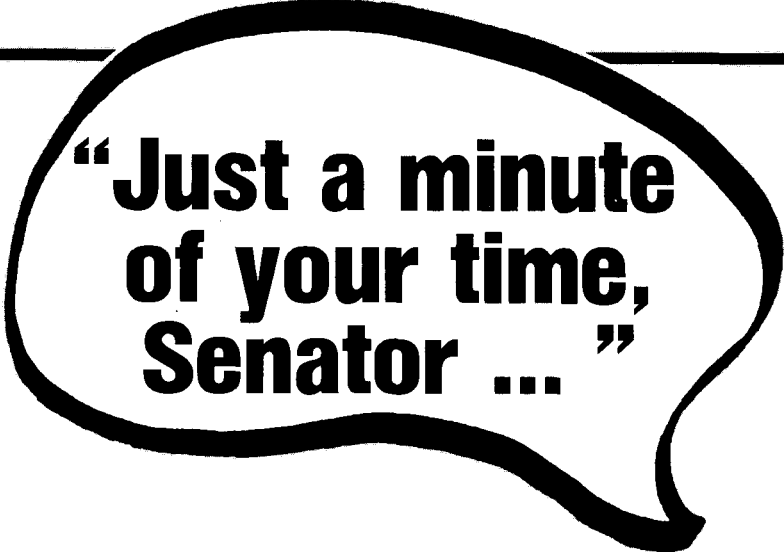


Gunning for the NRA

An overrated lobby?



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VOLUME XX, NUMBER 8

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Gunning for the NRA

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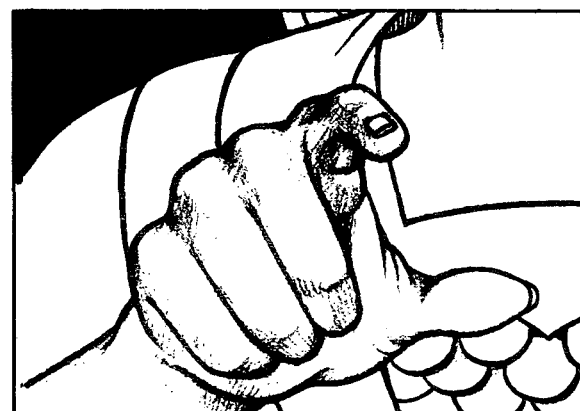
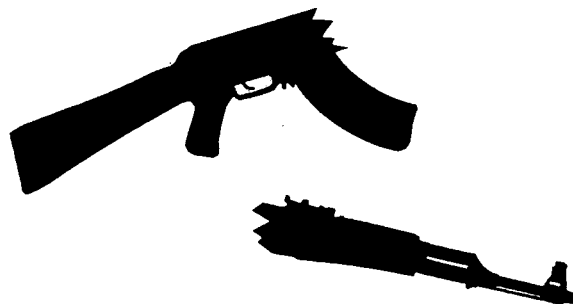
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UP FRONT

Jilted suitor of the month. A decade after a messy, court-entangled divorce, Oakland and Alameda County want to reconcile with their gigolo football team — the Raiders. Unfortunately, Oakland has three competitors — Los Angeles, Irwindale and Sacramento.

To stave off competition, Alameda-Oakland has made a formidable offer: a \$32 million outright gift (called a “franchise fee”), plus about \$40 million worth of improvements to the Oakland-Alameda County Coliseum. This engagement ring will be financed by the sale of revenue bonds paid back through gate receipts — not just by Raiders fans but by Oakland Athletics and Golden State Warriors fans as well (both use the same sports complex).

Alameda County Supervisor Don Perata said the potential reconciliation is well worth the price. “The Coliseum estimates that the area has lost about \$12 million a year in revenue in the decade since the Raiders left,” he said. “There is a direct loss, in terms of jobs and commerce, and in taxes paid by the Coliseum. But you also have to consider what this means to the psychology of the community itself,” Perata added. “In American culture, pro sports is one of the standards by which quality of life is measured.” Thus, in Oakland, has civic pride become groveling.

The deal comes against a backdrop of pressing community needs in Alameda County and the city of Oakland: deteriorating health-care systems, overburdened social-service agencies, crumbling schools, pot-holed streets, financially troubled libraries, ad infinitum. But Perata said the \$70-million lure will be financed with money that could not be used to attack social problems.

So, what’s to prevent the Raiders from pocketing their \$32 million, hanging around for a few years, then splitting anew? Trust us, said Perata. “This proposal will guarantee that the Raiders come home and stay home,” he said, adding, after a pause, “Of course, nothing is forever.”

Patriotism, Part I. When the U.S. Supreme Court recently overturned the sentence of a Texas man convicted of burning an American flag, it set off a

wave of patriotic indignation that crossed party lines. Democratic state Senator Cecil Green of Norwalk and Republican Assemblyman Tim Leslie of Carmichael both introduced resolutions calling for a constitutional amendment to make it a criminal offense to burn or desecrate the flag. Leslie’s measure passed the Assembly 58-2, with 20 members abstaining.

But at least one Democrat who voted for the resolution has since had a change of heart. Assemblyman Tom Hayden of Santa Monica recently wrote the Assembly clerk, asking that his “aye” vote be changed to an abstention.

Hayden thinks it ought to be illegal to burn a flag but doesn’t want the offense embedded in the Constitution. He thinks the problem could be solved with a statute much like laws that make it illegal to draw swastikas on synagogue walls or to burn crosses on a Black family’s lawn.

Hayden said he voted for Leslie’s resolution by mistake, blaming the fact that the vote came up quickly on the Assembly floor with no hearing and no time to adequately explore the issue. But Hayden doesn’t necessarily disagree with Leslie’s ultimate goal and attacked some of his fellow Democrats for being short-sighted.

“It’s stupid and elitist for Democrats and liberals to fight on this issue,” he warned. “There is a deep-seated liberal tradition of believing that flag-waving is a sign of national chauvinism and one ought to be wary on principle. They forget that there are millions of people who want to be buried with that flag. For them, the symbol is the substance. You shouldn’t trample on those feelings unless the First Amendment is really at stake, and it isn’t.”

And then there’s that noted political commentator, “Miss Manners,” who recently argued that neither courts nor legislatures need protect the flag — etiquette will do just fine. “The amount of voluntary restraint etiquette inspires is incalculable,” she wrote.

Patriotism, part II. Ever-decorous William Dannemeyer, he of Fullerton and the House of Representatives, recently displayed his own brand of patriotic zeal on the floor of the U.S. House

of Representatives. The incident began when two members of the Washington press corps failed to rise during recitation of the Pledge of Allegiance. According to the *Washington Post*, the reporters apparently were reading in the press gallery located above the floor, unaware that the House had switched gears from an opening vote to the pledge. As expected in an arena renowned for its rituals and decorum, one congressman noted the reporters’ lapse to his colleagues.

“Look, look, two members of the press not standing!” shouted Republican B.H. Solomon of New York.

Dannemeyer added his own gentle admonition. “Get out! Get out!” he shouted.

It is, by the way, against House rules for members to address anyone in the gallery.

Easy in, easy out. Last month, we reported that Republican Carol Whiteside, the mayor of Modesto, was poised to run for the congressional seat left vacant by the recent resignation of Tony Coelho (see “Condit vs. Whiteside,” *CJ*, July 1989). Now, Whiteside has stepped aside in favor of Clare Berryhill, a former assemblyman and former head of the state Department of Agriculture under George Deukmejian. Berryhill left that post in mid-term, saying he wanted more time to farm. As the reapportionment year of 1990 approaches, every congressional race is viewed by national Republicans and Democrats as a political Verdun, and Whiteside’s firepower was suspect. The Democrat, Assemblyman Gary Condit of Ceres, is a formidable opponent with close ties to agriculture, and Republicans may have wanted a candidate who could steal part of his thunder. The campaign so far? Berryhill: “I’m the real farmer.” Condit: “I have the real commitment.”

Don’t you sleep better these days, knowing that Conway Collis is protecting you from insurance companies? Collis, a Board of Equalization member from Los Angeles, has formed the “Proposition 103 Insurance Action Commission Intervention Team” to monitor how the Department of Insurance is implementing the complicated insur-

ance initiative passed by voters in November 1988. In that capacity, Collis recently issued a press release aimed at Insurance Commissioner Roxane Gillespie, claiming credit for coercing her into making decisions that benefit consumers.

"By getting commissioner Gillespie to put consumers ahead of insurance companies, we have taken the first big step toward realizing the 20 percent rollback in auto insurance premiums contained in Proposition 103," Collis wrote. The tone of Collis' release presumes Gillespie never would have made these decisions were it not for the vigilance of Collis and his team.

Collis' special attention to insurance matters couldn't have anything to do with the fact that he wants to run for Insurance Commissioner next year, could it? Or, that his Republican opponent might be Gillespie? Naw, not Conway.

Not every Republican is enamored with Pete Wilson as a gubernatorial candidate come 1990. Although most Republicans have left the field to Wilson, the California Young Americans for Freedom say Wilson is unacceptable and have passed a resolution to that effect. YAF claims Wilson is too moderate on such issues as abortion, gun control, prayer in public schools, gay rights and the war on drugs.

"We implore you to do whatever is in your power to oppose Wilson's candidacy," the YAF wrote to GOP state chairman Frank Visco.

By opposing Wilson, the YAF is running contrary to many members of its state advisory board, including Vice Chairman George Deukmejian.

"They that buy an office must sell something."

— Thomas Fuller

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WASHINGTON PERSPECTIVE

By LARRY LIEBERT

Bush and the environment

George Bush won the White House partly because he effectively neutralized the growing concern over the deterioration of the environment. The Republican vice president did so simply by proclaiming himself a true environmentalist — and by launching a preemptive strike that portrayed Democrat Michael Dukakis as the evil polluter of Boston Harbor.

A HALF-YEAR INTO HIS PRESIDENCY, Bush made a bold effort to deliver on his promise to be an environmentalist in the White House. He proposed a sweeping, long-overdue re-vamping of the Clean Air Act of 1970. The package was designed, Bush said, to end years of “gridlock” in Washington over how to step up the battle against befouled air.

Even the most skeptical environmentalists had to acknowledge what some called a “sea change,” a difference of “night and day” from the eight years under Bush’s mentor Ronald Reagan. President Reagan really believed that trees cause smog and that the economic progress of the nation was threatened by “environmental extremists.” By contrast, consider these declarations from Bush’s announcement of his clean-air package:

“Every American expects and deserves to breathe clean air and, as president, it is my mission to guarantee it for this generation and for the generations to come The environmental movement has a long history here in this country. It’s been a force for good, for a safer, healthier America. I reject the notion that sound ecology and a strong economy are mutually exclusive The wounded winds of north, south, east and west can be purified and cleansed, and the integrity of nature can be made whole again.”

Although Bush gave new force and legitimacy to the environmental agenda, many environmentalists remained skeptical that his execution would prove equal to his ringing proclamations. In particular, state and regional air-quality officials have already proposed far stricter measures for Southern California than Bush offered to the nation. Will his less-demanding measures undercut support for those regional measures?

To battle smog, Bush wants to prod automakers to produce a million methanol-powered vehicles each year by 1997. Would the more reliable method have been to impose tougher tailpipe-emission standards on conventional vehicles?

“The president’s goals and positive tone are encouraging,” concluded the National Clean Air Coalition, an array of environmental groups. “But President Bush also promised a legislative proposal that ‘will work.’ Based on the details released to date, the administration’s plan will need substantial improvement to meet the president’s goal.”

Meanwhile, environmentalists disagree among themselves on the most inventive aspect of Bush’s clean-air plan — what the administration has called “harnessing the power

of the marketplace to protect the environment.”

The idea is for government to set tough anti-pollution standards, then let business apply the magic of free markets to obtain them.

“Business understands its business better than we do,” Bush said in announcing his plan. “So we’re going to put that understanding to work on behalf of clean air and a sound environment. We’ve provided the goals but we won’t try to micromanage them. We will allow flexibility in how industry achieves these goals, but we stand firm on what must be achieved.”

The president’s plan to combat acid rain would set up “marketable permits,” allowing polluting factories that can exceed cleanup standards to sell excess credits to those who can’t meet the required levels. And Bush’s proposal to reduce smog would involve similar “emission trading” between automakers and “fuel pooling” between refiners.

This push for marketplace environmentalism is not the invention of some conservative think tank. On the contrary, it began with the Environmental Defense Fund, a leading environmentalist organization, which Bush credited in presenting his clean-air plan.

The Environmental Defense Fund joined with a range of other participants — including Senators Timothy Wirth, a Colorado Democrat, and John Heinz, a Pennsylvania Republican — in Project ‘88, a report pulled together by Harvard’s Kennedy School of Government.

The report proposed using marketplace incentives in a variety of ways, although not necessarily in ways business would prefer. The recommendations ranged from imposing new taxes on gas-guzzling automobiles to swapping debt relief for Third World nations in return for protection of their endangered forests. The report also endorsed efforts to encourage corporate farmers to sell some of their water rights to urban users, an innovation that the Environmental Defense Fund pioneered in California.

For this year, however, the focus is on the pollution-swapping scheme that Bush embraced in his clean-air plan. Environmental groups are arguing among themselves, as politely as possible, over whether this suddenly trendy approach will really work.

“By adopting a market-based plan, the president has embraced an approach which will get the most environmental protection for every dollar spent,” boasted Fred Krupp, executive director of the Environmental Defense Fund.

BUT THE GROUP Environmental Action warned: “The confidence in an untested and unproven ‘marketplace,’ controlled by the very industries that have for so long opposed any control on acid rain emissions, is as unfounded as confidence in the fox guarding the henhouse.”

Representative Henry Waxman, a Los Angeles Democrat and the House’s leading advocate of anti-smog legislation, added, “I favor economic-based controls only when we can be certain that the measure will not be used by industry to delay or derail pollution reductions.”

Larry Liebert is Washington bureau chief for the San Francisco Chronicle.



NRA

A Wounded Giant

The NRA loses on assault weapons

By Katharine Macdonald

David Roberti, the President pro Tempore of the California State Senate, will tell you now what he wouldn't tell you back in January: He didn't think his bill to ban assault rifles had a chance of passing. There was no way he could amass sufficient political firepower to outgun the National Rifle Association.

But with the Roberti-Roos Assault Weapons Control Act of 1989, passed by the Legislature and signed into law in June by Governor George Deukmejian, Roberti says the NRA has suffered "a crack in their dike I personally don't think will ever be repaired."

For decades, Roberti says, the NRA was "the strongest lobby. Why? Power of organization, intensity of feeling on the part of people who vote single issues, and their ability to involve themselves in all levels of campaigns . . .

Power is perception. Absolutely. And the most powerful are those who never have to use it. Because when you exercise it, you may not succeed."

In the fight over the assault weapons-ban legislation, the NRA exercised as much power as it could muster, and lost. And with that failure, they lost far more than a single piece of legislation. They lost some of the aura that had surrounded them as winners who never fail; they lost some very important points in the power-perception game. That doesn't exactly break David Roberti's gun-controlling, Democratic heart.

For John Doolittle, chairman of the Senate Republican caucus, it's another story. Doolittle believes a setback for the NRA is "a setback for the Second Amendment." He agrees with Roberti that Sacramento politicians once saw the NRA as virtually invincible. And, though he says he was sorry to see it happen, he also agrees the fight over the assault-weapons bill left the NRA wounded, so bloodied they now are

seen as — Doolittle thinks, and shrugs, and grins and offers: "Vincible?"

In the weeks since passage of the assault-weapons bill, eight more NRA-opposed gun control measures have advanced through the legislative process, surviving both committee and floor votes (see box, page 320).

"I think you've seen a lot of assemblymen who think voting against a bunch of gun owners is not dangerous to them," says Richard Gardiner, the NRA's Washington D.C.-based director of state and local affairs. When Gardiner says that, he makes it sound as though that is a very, very silly idea for a lot of assemblymen to have.

Roberti notes that much of the NRA's perception of power came from their collection, over the years, of "trophies" — the political heads of former incumbents who opposed the NRA. The most recent NRA trophy, according to both Roberti and Gardiner, was Paul Zeltner.

Zeltner is a Los Angeles County Re-

Katharine Macdonald is a Capitol reporter for the San Francisco Examiner.

publican who served one term in the state Assembly, during which time he incurred the wrath of the NRA. Zeltner voted for Assemblyman Mike Roos' AB 4545 last year. As originally introduced,



Roos

Roberti

the bill would have banned assault weapons. By the time it got to a floor vote, NRA lobbying efforts had watered it down to a waiting period between the purchase and possession of an assault rifle. The bill, still opposed in its weaker form by the gun organization, died on the Assembly floor — but not before

Zeltner cast his vote in favor of it.

In November the NRA supported Zeltner's Democratic opponent, Willard Murray, who won the election. And although Murray now disputes that his NRA endorsement won him the election, he has spent his first year in Sacramento very carefully — one might even say respectfully — voting against every bill opposed by the NRA, including the assault-weapons ban. Says Gardiner of the Zeltner-Murray contest: "I don't think there's any question that [NRA support] is what made the difference in the election. And I dare say there are probably very few politically wise people in California who'd tell you to the contrary." And, indeed, few will.

So Gardiner could be right. Or it could be that it's no longer so politically dangerous as it once was to vote against the NRA. Gardiner insists it still is, at least in certain districts, and adds, "I think they [some of the legislators who voted for the assault weapons ban] will find that out." The NRA is hoping to reassert itself in the 1990 elections by

defeating some of the people who voted against them.

Although there have been recall campaigns launched against some legislators who voted for the assault-weapons ban, no lawmaker seems to be immediately threatened. Says Gardiner: "We're not participating in any recall effort." Instead, the NRA is preparing for the next election cycle. Gardiner says his organization has not yet chosen which legislators it will oppose in 1990. He adds, "These things won't be evaluated until much closer to the election."

Gardiner acknowledges, "There are some districts where we couldn't do anything if we wanted to." Although he declines to name names now, if Gardiner and the NRA are right, and voting in favor of a ban on assault weapons was in fact an act of political suicide, 1990 should bring a freshman to Sacramento from the 25th Assembly District in the Central Valley. And down home in the district, lingering over parts of Merced and Monterey and Santa Clara counties, will be the political ghost of Rusty Areias.

For the moment, Areias, a Democrat from Los Banos, is looking very much alive. Not to mention confident and relaxed. Rusty Areias was five years old when his father gave him his first gun, and he represents a district that is home to a lot of other gun owners. He might have been expected to vote against the assault weapons bill. The NRA certainly expected him to vote against it. When he didn't, he was threatened by some constituents who identified themselves as NRA members — but stressed they were not representing the NRA — with a recall.

Areias believes a number of circumstances combined to defeat the NRA in the assault-weapons battle: the haunting, emotion-filled memory of dead and wounded children on a Stockton schoolyard last January, the victims of a psychopath armed with an AK-47, and the barrage of press attention unleashed on the guns by that incident; the law enforcement coalition, spearheaded by Attorney General John Van de Kamp, working to get semi-automatic guns out of general circulation; and the combined political clout of Roberti and Assemblyman Mike Roos, like Roberti an urban Los Angeles Democrat whose district offers a certain insulation from fear of the NRA. (In January Roberti and Roos introduced competing assault weapons bills that were eventually amended into identical measures, and finally merged into the Assault Weapons Control Act).

But mostly, Areias believes, the NRA — by taking a "rigid and uncom-

Gun-control legislation

AB 497, Assemblyman Lloyd Connelly (D-Sacramento). Requires a 15-day waiting period between purchase and possession of any gun, and a background check of the buyer. Passed the Assembly 48-24 June 6th. Next hearing in Senate Judiciary Committee.

SB 861, Senator Quentin Kopp (I-San Francisco). Requires gun dealers to equip each firearm they sell with a device to lock the trigger. Passed the Senate 23-7 and the Assembly Public Safety Committee 5-2 June 13th. Next hearing expected in Assembly Ways and Means Committee.

SB 1680, Assemblyman Rusty Areias (D-Los Banos). Requires completion of a safety course, or passage of an equivalency exam, prior to purchasing a handgun from a dealer. Passed the Assembly 42-29 June 15th. Next hearing expected in Senate Judiciary.

AB 1756, Assemblyman Terry Friedman (D-Los Angeles). Limits gun sellers to five transactions per year. Passed the Assembly 70-5 and Senate Judiciary 6-4 June 13th. Senate floor vote expected in July.

AB 376, Assemblyman Johan Klehs (D-San Leandro). Bans the sale of magazine clips of more than 10 rounds and regulates possession of such clips already in circulation. Passed the Assembly 41-32 June 27th. Next hearing expected in Senate Judiciary.

AB 565, Klehs. Bans the sale of multiburst trigger activators, rotary cylinder shotguns and detachable shotgun magazines. Passed the Assembly 41-32 June 27th. Next hearing in Senate Judiciary.

AB 1754, Friedman. Prohibits minors from possessing firearms or ammunition without written permission and direct supervision of a parent. Passed the Assembly 69-1 June 27th. Next hearing expected mid-July in Senate Judiciary.

AB 1752, Friedman. Increases the penalty on the second conviction of carrying a loaded, concealable weapon in public to a minimum three-month term. Passed Assembly 42-27 June 27th. Next hearing in Senate Judiciary.

Source: Handgun Control

promising" stance in opposition to any gun control measure — became its own worst enemy.

"Their attitude," Areias says, "has always been they don't want any type of prohibition on any type of gun."

Van de Kamp believes the NRA took on the perception of "a political monolith," as, through the 1970s, the group gained membership (currently close to 3 million nationwide, with about 10 percent of the members in California). In 1982, with a losing gun-control initiative (Proposition 13) on the ballot, the NRA was credited with being an important force in the defeat of Democratic gubernatorial candidate Tom Bradley. And it was then, Van de Kamp says, that "it became abundantly clear that they were a force to be reckoned with; that they carried a strong block of voters."

But in the wake of that victory, Van de Kamp believes, the NRA "got fat and arrogant, and strayed from their own course. They would stonewall on any rational control of weapons ... they alienated police departments by their failure to go along on some restrictions of armor-piercing ammunition ... And, in this situation, their membership split [on issues]."

In the years since the NRA's over-

whelming 1982 victory there have been skirmishes, such as the Zeltner-Murray race. But the next really big battle did not come until this year, when the NRA lost. It wasn't for lack of trying.

Areias says: "The NRA really declared the Alamo on those [Roberti and Roos] bills. They did everything they could from a lobbying standpoint to oppose those measures, and were not successful ... I think what ended up happening is that those of us who voted for the measures got a real sense from our constituencies, in overwhelming numbers, that we had done the right thing. And poll results reinforced that ... And that gave [legislators] the political comfort to stand up to the NRA."

Van de Kamp says the assault weapons bill fight "caused some erosion" in the NRA's strength, but he adds: "How great the erosion is remains to be seen."

Assembly Speaker Willie Brown believes the Stockton incident combined with the increasing use of semiautomatic assault weapons by urban drug gangs to create an unusual situation in which the guns had "become more than just a criminal problem as such, and became society's problem. And, in that environment, even a powerful — for political-punishment pur-

poses — organization like the NRA couldn't stop public policy progress."

Brown doesn't believe there is any permanent diminution of the group's power. "Not at all, not at all," the speaker insists. "They are unique in the political spectrum. They stay in the political arena year-in and year-out, almost like religious zealots. And so, institutionally, I don't frankly think there will ever be a change in their participation, or their clout."

Gardiner, counting on 1990, predicts the NRA will be back as strong as ever, as soon as legislators "see that one of their colleagues has been voted out. They are going to pay strict attention to that fact. That's why our perception of power has been what it's been: We've been able to make a difference in some elections."

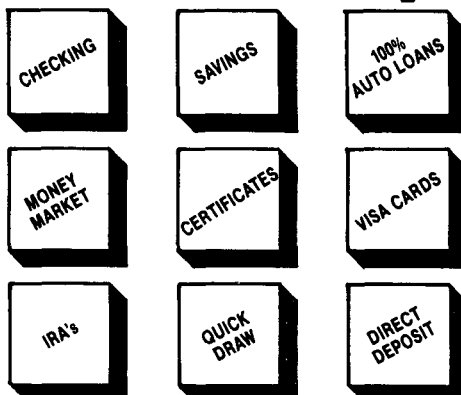
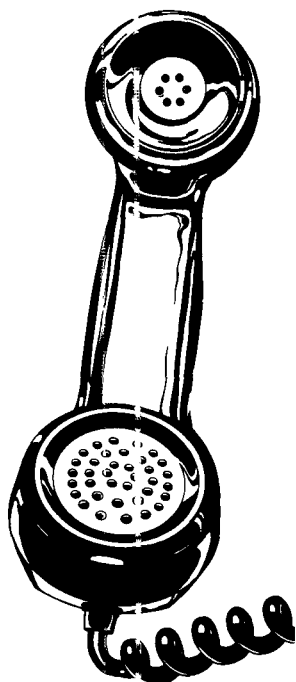
Will they be able to make the difference in 1990, or is Areias correct in believing the organization "has lost touch with the sportsmen they claim to represent?"

No one will know for certain until 1990, when Rusty Areias and others like him win or lose.

"Frankly," says Doolittle, "that's going to be the interesting question: Can they deliver? If they can, they'll be back in a real power position." ■

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SURPRISE!

The press corps likes its coverage of gun control

By Robert Forsyth

Now that it is over, and California is the first state essentially to ban assault weapons, comes the question: Just how well did the press cover this visceral, high-profile legislation. What did they think of their own work?

Well, they thought they did fairly well, according to a mail survey of the reporters assigned to follow what became the Roberti-Roos Assault Weapons Control Act of 1989.

Reporting on development of the Roberti-Roos Act could not have been an easy duty, even for veterans in the Capitol news bureaus. Aside from sorting out the rhetoric during the five-month experience and the volatility of the subject matter, reporters had to navigate their viewers, readers and listeners through some of the more murky legislative waters, including conference committees, non-concurrences and trailer bills — the stuff of legislative esoterica that will cross anyone's eyeballs.

From clippings and video files, 52 newspaper, television, radio and news service reporters who covered the assault-weapons legislation in Sacramento were identified. A survey was sent to each reporter along with a stamped, self-addressed return envelope. Anonymity was offered, but respondents were encouraged to make comments for the record.

Twenty-nine of the 52 recipients responded (56 percent). Of those, most work for newspapers (48 percent) or television (28 percent), nearly all are based in Sacramento (83 percent), and an even higher percent (86) were the principal reporters on the story. They are an experienced crew with 69 percent having 10 years or more in the business.

Not surprisingly, nearly all of the respondents (90 percent) were generally satisfied with their own reporting on the bills. One radio reporter based in

Sacramento said, "There were so many legislative moves with the two bills involved, there was ample time, even for the radio medium, to cover all aspects of the issues, and to talk at length with people on both sides of the gun-control debate."

One anonymous respondent put it this way: "Generally, yes. Except I kept finding that on this issue, the more I learned, the more that I needed to learn. The complexity of what appeared to be a simple ban of certain firearms sent ripples into unexpected corners and touched off responses that I had not anticipated."

Ruth Ashton Taylor of KCBS-TV in Los Angeles said she was generally satisfied, and added this note: "The unfortunate tragedies [in Stockton] that gave these bills such high visibility resulted in more [air] time being allotted for assault-weapons stories. That always makes it easier to do a good job."

But one unsatisfied newspaper reporter said, "I didn't do a sell job on the editor, who was bored with the subject after the second story."

However, when reporters were asked to rate coverage of the bills by their colleagues, opinion of the coverage dropped, with only to 62 percent of the respondents giving their colleagues good marks. Fewer than half of the respondents (45 percent) wanted to single out a specific news organizations for particularly outstanding reporting. Of those praised, the *Los Angeles Times*, and its Sacramento reporter, Carl Ingram, received the most mention. Rob Gunnison of the *San Francisco Chronicle* said of Ingram: "He's a textbook case of how to cover a bill — including flying to San Diego to pin down Deukmejian when he was waffling."

Coverage by the *San Jose Mercury News* (and its Sacramento reporter, Bert Robinson), the *Los Angeles Herald Examiner*, the *Sacramento Bee*, Copley News Service, the Associated Press, San Francisco's KRON Television and Los Angeles' KABC-TV also was mentioned.

Conversely, few reporters wanted to identify anyone as doing a bad job of

reporting, and 41 percent said no such animals existed (another 41 percent did not answer the question).

"Television, per usual, did its customary crummy job explaining the issues, KCRA and Steve Swatt being the exceptions," said one newspaper reporter. Another newspaper reporter said: "*L.A. Times* was awfully slow in picking up on the story, but in the end may have overwritten it in daily stories — a common failing for them." According to another newspaper reporter, "*The Bee* was rather uninspired in the early going...."

Not only did the press do a good job, 62 percent said they were fair to both sides as well, while only 10 percent said had reservations about the fairness of press coverage. One anonymous radio reporter based in Sacramento provided a lengthy response: "I can't be specific about this, but I could see how a case could be made that the media was biased in favor of the bills. In reality, however, I believe that bias can be attributed to the overwhelming support from the community, law enforcement and crime victims the two bills got. There was more pro gun-control news to report than there was anti gun-control."

On the matter of unfairness, Jennifer Kerr of the Associated Press believes there was "a general tendency to overstate [and simplify] the bills as a *ban on all* possession." A Sacramento-based television reporter said, "It seems many had trouble with defining 'assault weapon.' Also many called the weapon Patrick Purdy used in the Stockton schoolyard an 'automatic.' I was troubled that it appeared 'semi' and 'auto' were often thought of as the same."

Jim Hamblin of KCBS-Radio's Sacramento office, said, "Sometimes the emotional editorials bordered on unfair or went beyond. When editors embrace the idea of banning guns, they can also later approve the banning of books or TV shows."

Hamblin responded to another question, saying, yes, he was personally accused of unfair coverage. To that question, 31 percent of the respondents said they were so accused.

Robert Forsyth is press secretary to Senate President pro Tem David Roberti. He is a former metropolitan editor of the Sacramento Bee and member of the Bee's capitol bureau.

Again from Hamblin: "The National Rifle Association believed that the news media did not adequately cover the essential element in the story, that there's no way to distinguish one rifle from another. I did numerous reports on that exact issue but no officer of the NRA must have been listening."

Deborah Pacyna of Sacramento's KXTV said that although she was not personally accused of unfairness, "many gun store owners and dealers expressed hostility toward the media in general. It was an 'attack the messenger' attitude mostly..."

The *San Jose Mercury News'* Robinson said that not only was he personally accused of unfair reporting, "Our newspaper was picketed, in part because of articles I wrote about the NRA and its contributions. We listed contributions to all assemblymen, identified swing votes and mentioned the NRA grade for each."

Fairness may be one thing; accuracy, the essential credential of a reporter, can be something else. Respondents were asked about that. Did they report any factual errors? Some 48 percent of the respondents said "no," but most qualified that response by adding, "not that I know of."

But 10 percent said they did indeed report factual errors. One newspaper reporter said, "At the outset, A couple of my stories did not fully explain the federal laws relating to firearms and illegal use of guns and the gaps between federal and California law. The cause of this incomplete reporting was my ignorance of federal law and BATF [Bureau of Alcohol, Tobacco and Firearms] regulations. There is now some discrepancies about that..."

Tom Marshall of KXTV in Sacramento made an interesting confession of inaccuracy: "I once did a live shot during one early hearing and credited Roberti with Roos' bill and vice versa. Oh well, they all look alike."

But if the media representatives thought they did a good job, it wasn't because the partisans of the world weren't trying. A generous response rate — 83 percent — said someone tried to manipulate coverage of the bills. "Roberti and Roos milked this baby for all they could — and then some," said Ron Roach of the Sacramento bureau of the *San Diego Tribune*.

Many respondents put the manipulation issue into the context of expectations: "No more than usual," said the *Chronicle's* Gunnison. "People are always trying to manipulate reporters," agreed Tupper Hull of the *Los Angeles Herald Examiner's* Sacramento bureau.

Added Rollin Post of San Francisco's KRON-TV, "Both sides staged their events, had their video tapes, and emotional witnesses..."

KCRA's Swatt said: "We are always being manipulated, through the use of rallies, press conferences, et cetera. That's part of the job of advocates. If we don't like it, it's a simple matter to ignore the manipulation."

Although the respondents were experienced reporters who knew their ways through the legislative labyrinth, many said they had some difficulties reporting the bills. Teresa Simons of the Sacramento bureau of United Press International said that, for her, most difficult was "writing balanced stories because the 'gunners' weren't around as much as legislators."

Here is a sample of other difficulties:

- "Tracking the amendments and compromises."
- "Understanding technical points."
- "Sorting the hype from the facts."
- "Getting through to the NRA at key times."

Respondents also were asked what assisted them in covering the bills:

- "The fact there was so much opposition kept the facts flying."
- "Accessibility of Roos, Roberti and their people. Likewise for Mountjoy."
- "Committee analyses were in-

valuable. The inundation of NRA releases also helped."

- "Both sides were generous in their distribution of material."
- "My [tape recorder] — a fine piece of recording equipment."

Coverage of the Roberti-Roos Act extended far beyond California. It was news throughout the United States and subject of dozens of out-of-state and in-state editorials and cartoons. It was, in short, heavyweight news for five months, a fact not lost on survey respondents, since 93 percent thought the assault-weapons bills were highly significant in terms of news value.

As satisfied as they were with the coverage, nearly 69 percent also said there were story angles they wish they had pursued. One reporter had wanted to look more closely at how the attitude towards guns in general has changed in the Legislature. Some respondents said they wished they had written more about the internal politics of the NRA. A radio reporter would have liked to have commissioned a poll among police officers and sheriff's deputies. A news-service reporter had wanted to explore gun culture, say a comparison between rural and urban environments.

In his response, Larry Lynch of the Sacramento bureau of the *Long Beach Press Telegram* reflected and took a long-distance view. "I think we have not yet put what was and was not accomplished into perspective," said Lynch. "That might be done a year from now." 🏠

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Alameda County Supervisor Don Perata is a man whose time and issue have arrived. More than anyone in the state, Perata is responsible for California becoming the first state in the nation to ban semi-automatic assault weapons, and hand the National Rifle Association a crushing defeat. Already president of the Alameda County Board of Supervisors in his first term, the 43-year-old county legislator seems poised for higher office, possibly the state Senate seat of Oakland's Nicholas Petris.

"When Perata got started, it was a blasphemy to suggest that any form of control on assault weapons was appropriate," said Dick Iglehart, chief of Criminal Division for Attorney General John Van de Kamp, who worked with Perata and other law-enforcement officials on the issue. "Politicians were scared of this issue all around. We warned him: 'You'll get crank calls, real life threats. You'll worry about bullet-proof vests before this is over.' But he wouldn't budge. To me he's a modern American hero."

Even the *San Francisco Chronicle*, which wrote an editorial supporting Perata's efforts last October, had little faith in his ability to take on the such a formidable adversary. "Washington legislators, quaking in their boots at the power of the National Rifle Association, failed to face up to the issue. Which makes us wonder how a single California county supervisor can possibly prevail," the *Chronicle* said.

Seven months later, Governor George Deukmejian signed the ban into law.

"Supervisor Perata's leadership on this issue was instrumental in the bill passing the Legislature," said Senator David Roberti, President pro Tempore of the California Senate, who sponsored the bill.

When the Legislature considered the same bill just one year ago, the anti-gun people weren't even close. The much-publicized killings of five children in Stockton earlier this year gave a tremendous boost to the anti-gun

Monica Friedlander is a writer living in the San Francisco Bay area.



Drawing by Roberta-Anne Kaminski

NRA NEMESIS

Alameda County Supervisor Don Perata

By Monica Friedlander

movement throughout the state. But Perata's efforts started long before Patrick Purdy fired his AK-47 into that schoolyard and had laid the groundwork for the legislation in the first place.

Perata began with a highly visible public hearing last October, which for the first time brought public attention in Alameda County to the destructive power and widespread use of assault weapons. The hearing included testimony from children shot with Uzis and terrified Oakland residents hiding in back rooms to avoid being caught in a drug dealers' fire. It also stirred the wrath of the National Rifle Association and of gun dealers throughout the state.

"I did nothing criminal, nothing illegal," complained Tony Gucchiara, owner of a gun shop in San Leandro, who was subpoenaed to testify at the hearing. "One of the biggest reasons he did this circus media show was to enhance his name, like most politicians do. He just wanted free news media."

Clearly, Perata is not one to shun publicity. For every inch of ground gained for his causes, he has raised his political profile — and perhaps his political fortunes. But he claims the publicity he seeks is a strategic, well thought-out tool to serve his constituency and achieve his policy goals.

"Damn right [it was a publicity

movement throughout the state. But Perata's efforts started long before Patrick Purdy fired his AK-47 into that schoolyard and had laid the groundwork for the legislation in the first place.

Subsequently, the Los Angeles county sheriff, the L.A. district attorney and Police Chief Daryl Gates contacted him, prompting an action which energized a new legislative effort to ban assault weapons. Soon thereafter, Sergeant Robert Stewart said, Roberti himself contacted Perata and announced he would sponsor the bill.

Perata plans to continue his fight against assault weapons, even though the bill has been signed into law. Last March Perata launched a statewide full-fledged anti-NRA campaign — the Coalition to Outlaw Assault Weapons — complete with hotlines to inform voters where legislators stand on this issue. The group tries to counteract the NRA with an anti-gun pressure campaign of its own. In addition, Perata distributed 10,000 "pledge cards" throughout the state, of which 1300 have been signed and returned to him, through which people commit themselves to actively support any elected official targeted by the NRA.

"This will become the battleground to defeat the NRA as they try to impose sanctions against people they felt strayed out of line," said Perata.

The NRA, for its part, charged Perata with abusing his powers as an

he said. "But the cards and mailings were all paid out of my campaign money. The political effort was separate and distinct from the public effort."

Perata's tendency to attack every issue with total abandon and a no-holds-barred approach sometimes invites criticism even from some friendlier sources than the NRA. The alleged purpose of the gun hearing was to attempt to impose a 15-day waiting period on the sale of assault weapons in Alameda County. As it turned out, the city attorney subsequently found such a proposal to be beyond county jurisdiction.

"He did not seem to have done his homework in terms of the legal questions," said Oakland Councilman Wilson Riles Jr., a candidate for mayor of Oakland. "He had hearings, people came in to testify, and he stirred up a lot for nothing. This tells me he jumped on a limb without getting his facts straight."

To Perata, however, this was precisely the point. "I knew all along that the waiting period was legally challengeable," he said. "But ... people who are ducking bullets don't give a whole damn about whose jurisdiction it is."

Perata, in his first term of his first elected office, represents crime-ridden East Oakland and the City of Alameda. Already, he has become a recognized leader in the county's war on drugs. His rapid rise is the result of his unusually activist approach to his job and his belief that local government can make a difference. For this, he has earned a reputation as a problem-solver.

"He's almost dangerous, he's so good," said Igelhart.

Dorothy Graham, director for the Alameda Health Consortium (an association of Alameda County community clinics), who has worked with Perata on a wide range of health issues for the past three years, considers him one of a kind.

"Anyone can express concern about a problem," Graham said. "But he acts on it. He expanded the definition of what a supervisor can do. When you talk to him, the next minute he'll isolate the piece of the problem to which a local solution can be found."

Graham cited some of Perata's accomplishments: establishing an oversight committee on infant mortality — a cooperative venture with private hospitals, physicians, and community-based organizations; spearheading the drive on the November 1987 ballot to temporarily lift the county's Gann spending limit; putting another measure on the November 1988 ballot to raise taxes to fight the drug problem (a loser, but one

"We warned him: 'You'll get crank calls, real life threats. You'll worry about bullet-proof vests before this is over.' But he wouldn't budge."

stunt]," he said, the level of anger in his voice rising. "I had my own constituency saying, 'We're being savaged here!' I try to use everything at my disposal to be effective for the interests I represent."

Armed with transcripts and video tapes from the hearing, Perata went to Los Angeles and convened a group of law-enforcement people. The evidence showed, for example, that in the first eight months of 1988 the Oakland police seized 168 assault-style weapons,

elected official by using his official stationery and mailing privileges to campaign for Roberti's legislation. "He sits in a position to exert influence," said Leroy Pyle, a San Jose police officer who organized the California Officers Against Gun Control, "and he used taxpayers' money for this letter-writing campaign."

Perata, who first checked with county legal counsel, denies any law was broken. "The effort on behalf of the bill is part of the function of my office,"

that focused attention on the drug issue); and contributing to a 1987 effort which, she said, prevented Governor Deukmejian from going ahead with proposed cuts in health-care funds.

Perata's activism is largely born out of his overbearing sense of frustration about social problems, and his inability ever to be satisfied with his accomplishments.

"I'm frustrated as an operating principle," he quipped. "There's so much I'd like to do that I can't. There's a preponderance of need, and a shortage of resources to address these needs. I wish I could do things faster than I can. I wish there were 50 hours in a day."

One of the projects Perata is most proud of is the Castlemont Corridor Substance Abuse and Prevention Project — a joint venture he initiated between Oakland, the police and probation departments, Oakland public schools, and mental-health and other community agencies, in order to design a drug intervention and prevention program for youths and their families. Reflecting Perata's approach to government, the project defies ideological labeling.

"I try to act as a broker, to use government to [bring together] the talents of other people to solve problems," said Perata. "When you look at children's lives, you have to address them the way nature and life does — without geographical borders, agencies, territorial imperatives. I believe that my job as an elected official is to break down the barriers between people and between institutions."

Perata addresses business issues with the same spirit of public-private cooperation. This year, for example, he sold the Board of Supervisors on the idea of an Economic Development Task Force — a blue-ribbon commission made up of people from the biggest businesses in Alameda County who meet regularly on a voluntary basis to develop economic policies to keep Oakland viable.

As a rule, trying to find someone other than the NRA to criticize Perata publicly for any serious flaw is like trying to get Green Peace to slay whales.

"I tried to think of something wrong with him," said Jerry Ernie, a police officer in the City of Alameda who used to be one of Perata's students during his days as a school teacher, "and after about an hour all I could come up with is that he's a Democrat. But I won't hold that against him."

One doesn't have much better luck with Perata's former political rival — the man he defeated in 1986 with the largest majority (61.5 percent) in the

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Santa Ana, CA 92705

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L.A. RESOURCE PROGRAM

county's history. "He's played more of a leading role than other supervisors on issues I'd be concerned about," said Sandre Swanson, an aide to Congressman Ron Dellums. "As far as I'm concerned, the issues I ran on have been addressed. If not, I'd be a candidate now, but I told him I'm satisfied the district is well represented."

Since his election three years ago Perata has immersed himself in the problems of drugs, guns and crime, and health care — particularly infant mortality and mental health. Some say these are safe issues, particularly in his largely liberal and impoverished district.

"His district in East Oakland is, after all, a region where everyone opposes assault weapons," remarked Democratic Assemblyman Tom Bates of Berkeley, whom some have touted as a potential rival to Perata for a Senate seat if and when long-time Democratic incumbent Petris retires.

Perata considers his emphasis on these issues as part of his overall philosophy of the role of government in society. "My sense about government is that its commitment is to those who need it most," he said, "and those who are most vulnerable in our society are the very young and very old, and those who are impoverished and mentally ill. Government is an equalizer, providing a way to perform services to those who need them."

Perata's involvement with the problems of his constituency and his seeming inability to turn down anyone in need doesn't always meet with praise, particularly in an era when government at all levels finds itself in a budgetary squeeze.

"He always tries to save every program and every person," said Supervisor Mary King. "But given budgetary constraints, that's not possible. You have to set limitations."

Perata is aware of this problem and regards it as a weakness he has to constantly fight. His commitment to local government is based on his wish to "stay close to the ground, to the people I represent."

"I'm always afraid of losing touch," he said. "I've seen people in the business who become detached and begin to believe in their own press clippings. I'm always afraid that could happen."

Friends and colleagues are amazed at Perata's seemingly limitless energy, hard work, and the almost obsessive intensity with which he immerses himself in everything he does.

"He is a borderline workaholic," said Sandre Swanson of his former rival. "In our campaign I walked districts eve-

ry day, but somehow he found more daylight hours. Every door I knocked on, he had already been there."

Perata carries this intensity beyond his work and campaign, and into his private life. "Never have anything to eat but hamburgers when Don's around," suggested Barry Connor, a former school superintendent who has known Perata since his days as a teacher of history and government in Alameda back in the 1960s. "If it's good, it's wasted. He won't remember it."

"In all the years I've known Don," added Connor's wife, Bonnie, "he has gone on a vacation once. And it lasted for two days. But whatever free time he does have he spends with his kids and wife." Perata lives with his wife, Rosemary, and children Rebecca and Nick in the City of Alameda.

The Connors were not surprised by Perata's rapid rise in politics. They recognized 20 years ago the same qualities that make him effective as a supervisor today, especially his enthusiasm.

Said Barry Connor: "Children were really inspired. He taught them how the system works, how not to become a victim. Nobody else teaches kids about local government and makes it interesting at the same time."

Perata organized a number of unique programs for his students, including a "hunger week" and a "ride along" program through which high school students would ride in a police car for three nights to see what their city is really like at night. Jerry Ernie, now a police officer in Alameda, got his start in the profession 18 years ago after Perata inspired him to join the "ride along" project.

"He kept kids in the system back in the '60s and '70s, before it was chic," said Barry Connor.

After a long career as a high school teacher, Perata entered politics by working for a number of public officials, including Assemblymen John Miller and Elihu Harris, and for state Senator Bill Lockyer. His first two runs for political office were unsuccessful, however. The first was a 1978 shot at the Assembly seat won by Elihu Harris. Later he lost a bid to become mayor of Alameda, and instead ended up working for years as a political consultant, helping others get elected.

When he ran for supervisor in 1986, Perata had his work cut out. His district was 43 percent Black, and he ran against a Black candidate who had the support of prominent Black political figures, such as Congressman Ron Dellums from Berkeley and Councilman Wilson Riles Jr. from Oakland. His unexpected victory can be explained

largely by his round-the-clock campaign style and emphasis on issues of central concern to his district, such as drugs and violence.

While praising Perata for his efforts to reach out to all his constituents, Riles still believes that a Black would have been a more appropriate choice for the district.

"Don is making a tremendous effort in terms of the people he has appointed," Riles said, "but he understandably falls short in terms of organizing the community. I don't know what more he could do. But it's tougher for a White, male, Caucasian to get the Latino, Black, and Asian community to respond."

Perata clearly resented Riles' assertion. "I suppose there are people who would prefer that I was another color, or taller or thinner, but I do not see that as an impediment at all," he said. "People are interested in helping change the condition in which they live. It's been less of an issue than I thought it would be. Maybe we've risen above that."

Mary King, a Black supervisor, agrees. "He was elected in a district that's 43 percent Black" she said. "I was elected in a district that's less than 10 percent Black. That shows that people think beyond artificial lines drawn on the basis of race. Even if we look different, people judge us on the basis of merit."

Given Perata's high political profile, few people expect him to remain a county supervisor forever. But for now, Don Perata says he is not looking at any political future beyond next year's reelection campaign, for which he is not expected to face any serious challenge. This year he could have run for Elihu Harris' Assembly seat, should Harris become mayor of Oakland. Perata turned it down.

Political experts, nonetheless, interpret Perata's knack for the spotlight as a clear indication that he's got his eye on a brighter political future. A logical choice for Perata would be the state Senate, but observers say that decision would probably lead to "a knock-out, drag-out battle between Bates and Perata."

To Perata, all this is still just speculation. "Last time I checked," he quipped, "the incumbent [Petris] was happy, healthy and doing an excellent job." Besides, Perata refuses to set any grand goals for himself, taking life, his job, and career one step at a time.

"I don't have many highs and lows in my life," he said. "I'm sort of a fatalist: A success today, is probably a disappointment tomorrow." 🏠



Cartoon by Chris Van Overloop

THE 1989-90 BUDGET

A compromise that caught everyone by surprise

By Stan Draenos and Richard Zeiger

It was all smiles and handshakes when the top Republican and Democratic legislative leaders emerged from their June 30th summit meeting with Governor George Deukmejian.

Small wonder. A political universe seemingly locked into yearly reruns of *When Worlds Collide* appeared to have been transformed into the Age of Aquarius. After 12 arduous sessions, the summeiteers had struck a deal that could remake the fiscal house of cards constructed over the years by the state's voters. The leaders had managed to form a \$49.3 billion state budget, cut a deal that would loosen the Gann limit, ease restrictions in last November's education-finance initiative, and provide money to rebuild the state's transportation system to boot.

In other times, the deal might have been seen as no more than what one would expect from their elected officials. But in these acrimonious political days, the settlement was nothing less than breathtaking. Politicians in both parties managed to stifle the most vociferous of their partisans and come up with a deal that, thanks to the discovery of an extra \$2.5 billion in the state treasury, made everyone look like a winner.

The focus now shifts to the voters, who must ratify the results next June and swallow what will ultimately be a nine-cent increase in the state's gasoline tax. But the polls show it will be very difficult to get voters to approve a tax increase of this size, and it's unclear which groups might be willing to fi-

nance a potentially fruitless campaign.

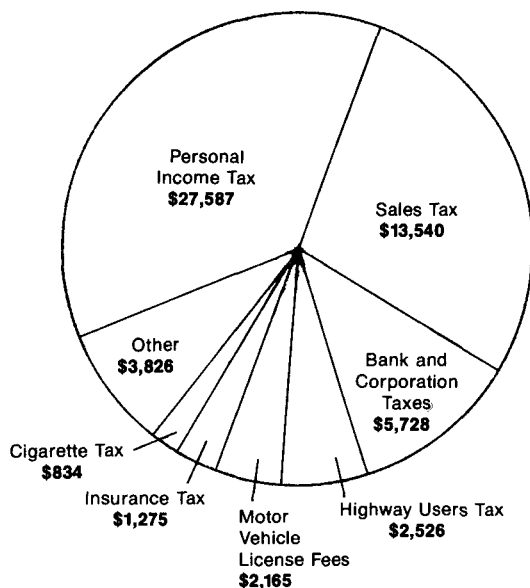
When the year began, there were few signs that this might turn out to be a landmark year for financial legislation. True, pressure was building up on Governor Deukmejian, particularly from his supporters in the business community, to do something about the state's deteriorating transportation system. But the governor had still not budged from his "no new taxes" pledge, and it looked like money would be in short supply in the upcoming budget year. What money was available would be going to the state's grade schools and community colleges, which had won first claim to it by securing passage of Proposition 98 in November. Deukmejian took the opportunity to slash deeply into health and social-service programs prized by Democrats. He said there were now so many restrictions on the budget that he had no choice. Democrats said it would take at least \$1.6 million in additional spending to meet budget needs.

But when the Department of Finance discovered in May that the state's coffers would be \$2.5 billion fuller than expected, things changed. The problem became not fiscal but political. How could you spend all the money and still make everyone happy? In the end, lawmakers agreed to make changes in four major areas:

- First, the state's Gann limit had to be modified. The current limit allowed the state's budget to be increased only to keep pace with the cost of living and increases in the state's population. That formula means the state's share of gross state income would continue to decline over the years — a prospect that almost everyone agreed made little sense while demand for government services continues to rise. Some

Stan Draenos is a Sacramento-based writer. Richard Zeiger is editor of the Journal.

The 1989-90 Budget



Revenue

technical adjustments in the spending limit, basically shifting some unused spending limit from the schools to the state, had to be completed before the end of the fiscal year so that all the windfall money could be spent.

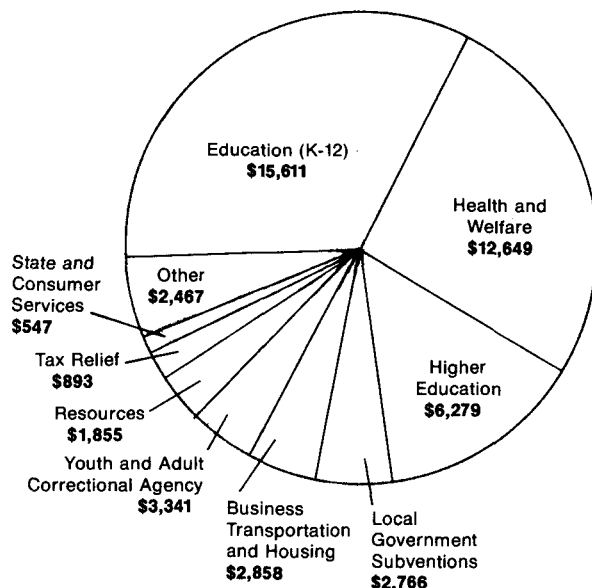
- Second, the recently-passed Proposition 98 provisions, giving an increasing share of the state budget to education, would have to be modified. As passed by voters, the measure guaranteed at least 40 percent of the state budget for education, plus virtually all surplus money that was available. This meant that most of the extra \$2.5 billion would go to education — the chopped social and health programs would get almost no more money.

- Third, a way had to be found to finance transportation improvements. The governor's previous proposal to sell general-obligation bonds had been defeated by the voters in June 1988. But a way still had to be found that would bypass Deukmejian's objections to new tax increases, and the Gann limit probably would have to be raised as well. Deukmejian had already formed a "blue ribbon" commission to help him solve the problem, but the group's membership spent much of its time trying to figure out how to recommend a gasoline tax increase without offending their patron.

- Finally, all these items had to be slid into a state budget before the close of the fiscal year June 30th.

The last task turned out to be the easiest. With plenty of money around, lawmakers could make almost everyone happy. Ultimately, they crafted the state's largest budget, just a measly \$700 million below \$50 billion. Even Deukmejian was happy with the results. Although he managed to find several hundred million dollars to cut, he also found over \$157 million more he wanted spent; the betting was that he and the Democrats would reach some accommodation before the summer ended. But before all this could be completed, various factions in the Legislature needed to be satisfied on the other subjects as well.

Surprisingly, agreement on the Gann limit itself was not too difficult to muster. Even some Republican lawmakers (although few said so out loud) were convinced that the original Gann formula had outlived its usefulness, while such state-spending watchdogs as the California Taxpayers Association



Expenditures

had been calling for the limit's modification. The new limit will be pegged to the growth in personal income in the state, a better measure of the overall condition of California's economy. The new index will allow about \$900 million more in spending in its first year. To take care of the current budget year, the state shifted surplus spending capacity from the schools to the state. This is about the last time that kind of shift can be made, since the state has already acquired just about all the excess capacity that existed in local government units.

Another provision will give fast-growing local communities a chance to capture sudden increases in income, say the small town that suddenly finds itself with the sales tax revenue from a new shopping center. The new limit would allow local government to retain revenue increases from non-residential sources. Business groups favored this change because they were worried that local Gann limits were being used as growth-control tools.

At least initially, Republicans said their price for approving Gann-limit changes would be elimination of the state laws that give automatic cost-of-living increases to many state programs, most notably welfare recipients. The overabundance of money, however, made this demand more difficult to sustain.

There also was substantial agreement that something needed to be done about transportation, although there was also considerable disagreement about what that should be. Deukmejian, of course, was the foremost advocate of trying to provide more money without raising taxes. But his attempt to have voters approve general-obligation bonds had failed. He was by this time virtually alone in this stance. Even U.S. Senator Pete Wilson, the likely Republican nominee to succeed Deukmejian, had hinted he would accept some sort of tax increase in this area.

Some legislative Republicans, too, were conceding that the gasoline tax, which is now at nine cents per gallon, should be raised, but not unless voters approved. Democrats said their approach was folly since most polls showed that voters would not swallow a large enough gasoline tax increase to make a difference.

Movement by Deukmejian made compromise possible on this subject. The governor modified his position to say that he would accept a gasoline tax increase, if the voters approved of it. Democrats, mindful of the polls, remained fearful of this approach. There were also those in the party who did not mind the idea that the governor and his fellow party members might, in the 1990 election, get the blame for failing to solve the transportation crisis. The final \$18.5 billion package provides money for highway construction and mass transit with the money coming from a combination of bonds, increases in truck weight fees, and the higher gasoline tax.

Solving the educational-financing portion of the package ended up being the trickiest of all — indeed it may turn out that this part of the equation is not solved at all. It would be hard to fault those in the educational community, who fought so hard and spent so much money to pass Proposition 98, if they resisted any attempt to change the formulas. But the educators, led by Superintendent of Public Instruction Bill Honig and the California Teachers Association, suddenly found themselves with an array of opponents from the ranks of groups that they usually counted as allies. Indeed, education began to look like the neighbor who, in a drought, ran his sprinklers all day while everyone else had to put bricks in their toilets.

Senate Minority Leader Ken Maddy of Fresno attacked Proposition 98 as a "monster that would systematically dismember state health, welfare, higher-education and correction programs if the state ever experienced a recession."

In light of the unified opposition, Honig pronounced the educational establishment willing to compromise, provided they were given sufficient protections. But there was always the feeling that the protestations were half-hearted. After all, it would work to education's advantage if the deal fell apart. In that case, education would get a bigger windfall than ever since virtually all of the \$2.5 billion, according to the terms of Proposition 98, would have to go to grade schools and the community colleges.

Ultimately, education ended up with a guaranteed 40 percent of the state budget (unchanged it would have gradually increased to 48 percent), and was somewhat unhappy with the results. As far as some of the educational officials were concerned, the issue is not closed. Honig said that "a lot of things are still hanging in the fire, like school construction, which is out of money. We're waiting to see what the Legislature does in the Fall. There's going to have to be some fence-mending to get us active in the campaign," he said.

Republicans in the Assembly also managed to extract some changes in the way money is apportioned among school districts. For years they had been chaffing at the extra money that went to urban districts, represented primarily by Democrats, through "categorical" aide that was supposed to compensate for the fact that these urban districts had so many hard-to-teach children, including many who speak little English. They managed to win a modification of those formulas, a change made more palatable by the fact that there was so much education money available even losers were getting a substantial increase over previous years.

But the compromise that may prove most problematic was the one made with Governor Deukmejian. During negotiating sessions, Deukmejian had demanded little — except that any tax increase be approved directly by the voters. As a result, the package will be on the June 5, 1990, primary ballot under the title: "The Traffic Congestion Relief and Spending Limitation Act of 1990." The title, written this way at the insistence of Governor Deukmejian, and to the despair of some, highlights the imposition of new gasoline taxes and truck-

weight fees.

Polls have shown voters willing to accept some increased taxes for transportation, say five cents per gallon, but balking at increases of up to nine cents more per gallon. The measure attempts to get around this by starting out with a five-cent increase and then adding one cent per year for the next four years.

In a strategy meeting with legislative leaders and transportation groups on July 10th, the governor agreed to head organizing efforts for a high-profile, bipartisan campaign. But his proclivity to treat it as a transportation measure may drive some of the original supporters of budgetary reform away.

According to Jeff Raimundo of Townsend and Associates, consultants for Project 90 (a coalition of business, labor, higher education tax and local government groups that had been preparing its own initiative in case the Legislature failed to act) "The greatest strength of the original Project 90 proposal was that it had no association with new taxes. That's now gone. Voters are going to see it as a tax issue. And a campaign for new taxes can never expect to broaden support beyond the original base. It has to fight to keep that base from eroding."

Fretting within Project 90 has produced some tentative ruminations about amending the tax down to a flat five cents, on the theory that half a loaf is better than none. Assemblyman Richard Katz, a Democrat from Sepulveda who is one of the authors of the gas-tax provision, is also bracing for a Fall offensive by developers on his transportation bill's growth-management features. Others talk of going ahead with their own initiative, keeping it in reserve for November if the compromise proposal falls apart.

Project 90 itself decided to disband after Deukmejian and legislative leaders said they would run the campaign. It would be up to the individual groups to see if they want to participate. The early betting is that most will be reluctant to put up much money, unless the polls change. And at best, the educational community is expected to sit on the sidelines. If they remain unhappy about the Proposition 98 compromise, there is always the possibility that the powerful California Teachers Association could weigh in in opposition to the ballot measure.

Legislative Democrats, however, see the governor's involvement as essential and are anxious not to drive him away. Senator John Garamendi, the Walnut Grove Democrat who is the author of the compromise package, originally maintained the need to distance Gann-limit reform from new taxes. When the June 30th compromise was struck, he confessed to feeling "grumpy" over the prominence it gave to the gas tax. After the governor's July 10th strategy meeting, however, he appeared more comfortable with it. "We have a reasonable chance of success, despite the additional burden of the gas tax," he said. "I'm pleased that the governor will take a lead role in putting together the campaign."

Republican Maddy, too, is optimistic that voters will buy the package, despite the phased-in nine-cent gas tax for which pollsters find little public enthusiasm. Calling Project 90's fears "crepe-hanging," Maddy feels "the public is far more intelligent than we give them credit for. With a strong, united campaign, it will pass overwhelmingly."

Says lobbyist David Ackerman, who represents both the California Chamber and the Association of General Contractors, "It's time for us all to take a deep breath and figure out how we are going to sell it to the public." While the remark is politically astute, it conceals a residue of tensions that leave open the question of how proponents are going to sell it to each other and to themselves. 🏠

BALLOT FRONT

A roundup of statewide initiative proposals. All statutes require 372,178 valid signatures; constitutional amendments require 595,485. In parenthesis is the deadline for sponsors to submit signatures to county clerks, and the issue of California Journal that contains a full explanation of each measure.

New in circulation:

RAIL TRANSPORTATION BOND ACT — an initiative statute, sponsored by Gerald Meral and James Knox of Sacramento and backed by the Planning and Conservation League, that would authorize \$1.99 billion in general-obligation bonds for passenger and rail commuter systems, mass-transit guideways, paratransit vehicles, bicycle and ferry facilities. The bonds would be paid back out of the state's general fund and from fuel taxes. (November 27th)

LEGISLATURE. INTERNAL RULES. REAPPORTIONMENT — an initiative constitutional amendment, sponsored by Republican Assemblyman Ross Johnson of Brea, that would allow initiative statutes to regulate legislative rules, committee assignments and appropriations for the Legislature. Among other provisions, the measure would cap the amount of money the Legislature could spend on itself, require a two-thirds vote to adopt legislative rules, shift responsibilities now held by the Assembly speaker and Senate president pro tem to the Rules Committee of each house, repeal legislative exemptions from conflict-of-interest laws, ban gifts and honoraria to legislators from employers of lobbyists, and require a two-thirds vote of the Legislature to approve any reapportionment plan. Assemblyman Johnson is minority leader of the lower house. (November 27th)

WILDLIFE PROTECTION — an initiative statute — sponsored by Gerald Meral, Democratic Assemblyman Lloyd Connelly and Sharon Negri of Sacramento, and by J. William Yeates of Monterey and backed by the Planning and Conservation League — that would establish a "habitat conservation fund" and annually stock it with \$30 million from existing environmental funds and the general fund. The habitat money would be used primarily to buy deer, mountain lion

and endangered species habitats; to buy wetlands and aquatic habitats and open space; and for "environmental purposes." The measure also bans killing mountain lions except to protect livestock, life or other property, as well as a ban on certain kinds of traps and snares. (November 27th)

Continuing in circulation:

REAPPORTIONMENT — an initiative constitutional amendment sponsored by John Stoos and Chris Fellersen of Sacramento. The eighth reapportionment initiative of the decade. (August 28th; July 1989 CJ)

AIDS — an initiative statute sponsored by Bruce Decker of the Health Policy and Research Foundation (Los Angeles), Dr. Michael Gottlieb (Sherman Oaks) and Reverend William Wood of the California Catholic Conference (Sacramento). (October 27th; July 1989 CJ)

RIGHT TO BEAR ARMS — an initiative constitutional amendment sponsored by Paul Chamberlain of Sacramento. (October 30th; July 1989 CJ)

SPLIT ROLL PROPERTY TAX — an initiative constitutional amendment sponsored by Bill Zimmerman of Santa Monica. (October 30th; July 1989 CJ)

CRIMINAL LAW — an initiative constitutional amendment sponsored by GOP state Senator Ed Royce of Anaheim, Colleen Thompson Campbell of San Juan Capistrano, and Kern County District Attorney Edward Jagels. (November 6th; July 1989 CJ)

ELECTION DATES — an initiative statute sponsored by Thomas Neece of San Francisco. (November 6th; July 1989 CJ)

SCHOOL PRAYER — an initiative constitutional amendment sponsored by Eunice Parquet of Oakland. (November 6th; July 1989 CJ)

Source: Secretary of State

New from California Journal

California Government and Politics Annual, 1989-90

Thomas R. Hoeber and Charles M. Price

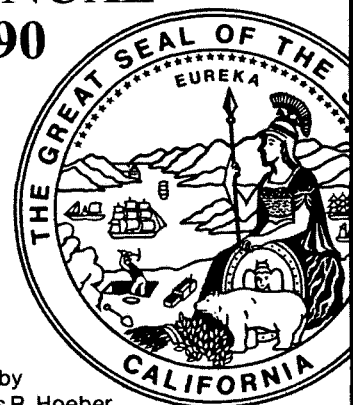
The brand-new 20th edition of *California Journal's California Government and Politics Annual* is now available. The **Annual** has become a standard resource book for college and university courses in state and local government. It is also a valuable tool for individuals seeking an overview of the California system of government and current political issues.

The 1989-90 edition contains chapters on the various branches of government plus lobbying, parties and politics, the press, direct democracy, local government, and current issues. The 128-page, large-format book is edited by Thomas R. Hoeber of the *California Journal* and Charles M. Price, political science professor at Chico State University and author of several books on state and local government. The price: \$7.95 plus tax.

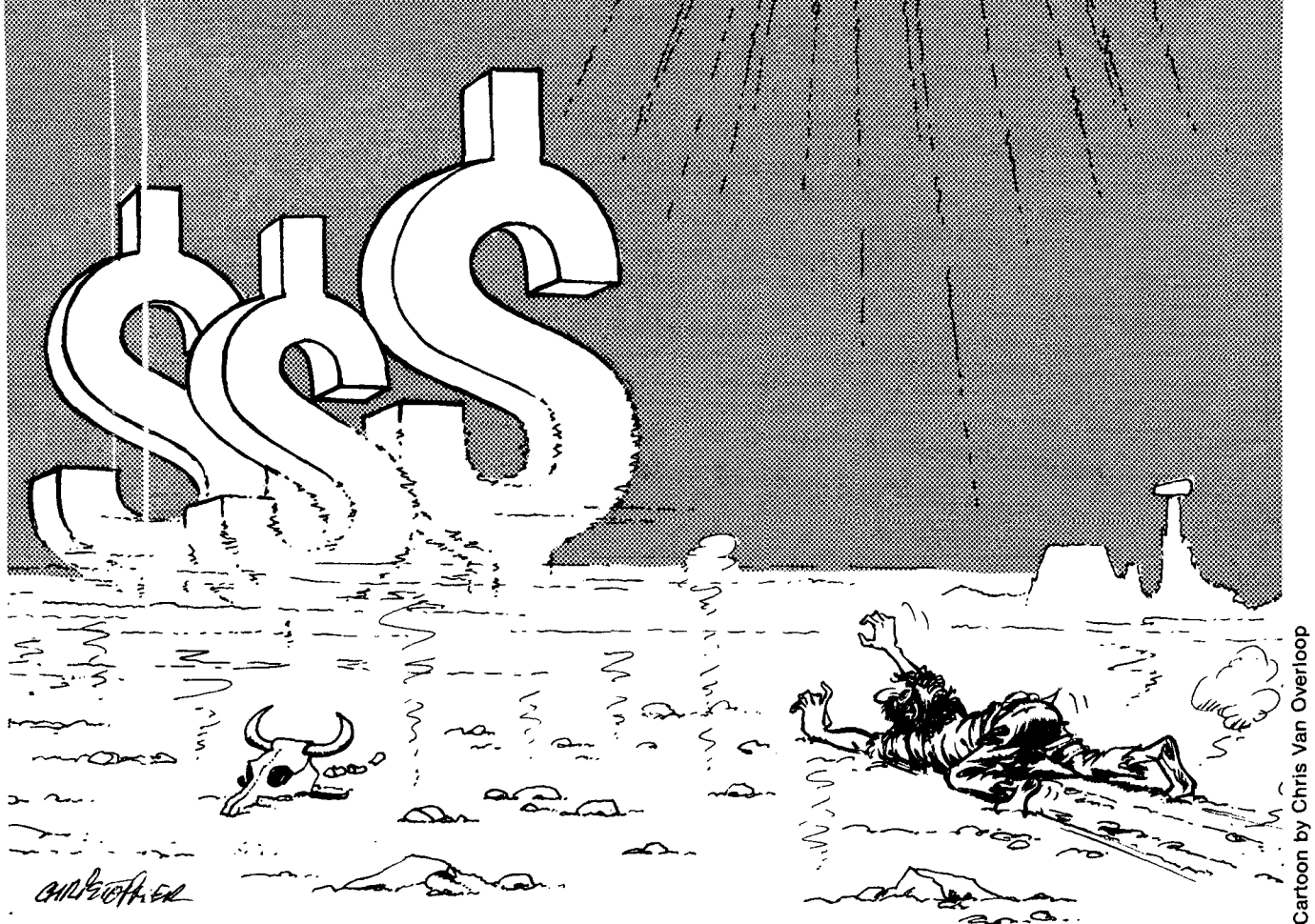
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Edited by
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Cartoon by Chris Van Overloop

No cash on the horizon for parched counties

By Kathy Zimmerman McKenna

Urban, rural, small or big, California's 58 counties have one thing in common: fiscal woes.

County hospitals in Fresno and Stanislaus are on the brink of closure; Contra Costa County, on occasion, has had to use umbrellas to protect patients being transferred from the operating room to the recovery room through an open-air corridor that hospital officials say they cannot afford to cover.

Strapped for funds and saddled by a growing increase in the demand for free health services, Alameda County is considering rationing health care. The county's hiring of an ethicist last March to help determine what medical services it will no longer provide sent shockwaves throughout the country, but other struggling counties are expected to follow suit.

Shasta County was forced last year to shut 11 of its 14 libraries serving 140,000 residents after voters twice rejected tax increases.

California counties are in such bad shape, says Larry

Naake, executive director of the County Supervisors Association of California, that they are facing "a full-blown crisis in governance." CSAC estimates more than one-half of the counties are in serious financial trouble, facing program cuts and employee layoffs.

"Every year we're being eroded a little more," bemoans Elaine Kavanaugh, senior administrative analyst for Shasta County. "We're hanging on by our fingertips. It's very depressing. People just think, 'I pay my taxes. By golly, I want a library.' They don't have a grasp at what we're facing."

Since voters passed Proposition 98 (the school-funding initiative) last November, California's schools are in good financial shape, having been guaranteed 40 percent of state revenues.

Cities have financial worries, but overall they, too, are in much better shape than counties. A new study by the League of California Cities concludes total revenue for cities has steadily declined on a per-capita, real-dollar basis, just as it has for counties, since voters passed tax-slashing Proposition 13 in 1978.

But the decline in tax revenue is largely due to the decline in federal and state aid. The growth in property tax dol-

Kathy Zimmerman McKenna is Capitol bureau chief for the Oakland Tribune.

lars from booming home sales and new development has helped cities offset those losses. As a result, spending by cities has actually increased more than 22 percent from 1978-1986 while county expenditures declined nearly 3 percent.

And cities — unlike counties — hold an ace in their pockets: great taxing ability.

Cities have been innovative with those taxing powers too. Monterey now levies a 25-cent tax on scuba tanks to help keep its beaches clean. Seal Beach charges a 12.5-cent tax on every barrel of oil produced in its jurisdiction. Arcadia charges a disturbance fee to cover its costs if police must go twice to a house because of a loud party or barking dog.

"Thank God we don't have to look to the state to solve our problems," says Jim Harrington, assistant director of the League of California Cities, which lobbies in Sacramento for all of the state's 452 cities. "Our big thing is to prevent everyone from picking our pockets. There's a notion we can solve everyone else's problems."

Since Proposition 13 slashed property taxes for existing homeowners and mandated that cities obtain two-thirds voter approval for any new special tax, cities have turned to redevelopment and utility, hotel and business license fees to boost revenues. A 1982 court decision upheld the right of cities to increase those taxes without two-thirds voter approval because they would be used for general governmental

purposes rather than a designated specific purpose. From 1982 to 1986, 117 cities raised 156 taxes, a California Taxpayers' Association study found.

A growing number of cities have opted for incorporation to control land-use planning and keep local tax dollars close to home instead of flowing to the county treasury.

But cities also face an onslaught of yearly attempts to erode their coffers, Harrington says. He cites as an example a pending bill sponsored by the California Hotel and Motel Association, which would require cities levying a hotel tax to earmark all proceeds to tourism. Only about one-third of the cities currently levying such a tax earmark the revenue exclusively for tourism. The rest use it to pay for basic city services, contending tourists use city facilities and require police and fire protection.

Cities also have to routinely fend off attempts by desperate counties to chip away at their redevelopment dollars. Counties constantly complain about the large chunks of land cities have designated as redevelopment areas, allowing them to keep any increase in tax dollars generated by future development in the blighted areas instead of sharing it with schools and counties.

Nearly half of the redevelopment agencies in California have been formed by cities since 1979, according to Peter Detwiler, consultant to the state Senate Local Government

Counties: to be or not to be?

Are the constant and growing funding problems of California's 58 counties the result of an antiquated governmental system?

While some have suggested county governments should be replaced by regional governments, and counties complain they act more as "agents" of the state, most observers don't expect any major restructuring in the near future.

Both the Assembly and Senate local-government committees are examining possible reforms, and the County Supervisors Association of California (CSAC) formed a commission more than a year ago to take a critical look at the role of county governments in today's environment. But the CSAC task force based its analysis on the realistic premise that the structure of county governments will remain largely unchanged in the near future.

Still, the commission's draft report makes some interesting recommendations on how counties could function better:

- Increase their political visibility and leverage by securing a recognized role in state policy and budget debates that parallels the structure set up for kindergarten through grade-12 schools and community colleges. Counties should push for the state to sanction a Board of Governors, a superintendent of State-County Services and legislative committees designated to deal solely with county services and funding problems.
- A constitutional amendment should be sought to force the state to assume responsibility for financing indigent health, welfare and public-defender services, as most states do.
- Counties should develop two budgets — one designated solely for state-mandated programs such as welfare, jails and indigent health care, the other for each county's own programs such as parks, roads and libraries.

That would help inform taxpayers who they should blame for inadequate service levels.

- Counties should aggressively pursue a stable revenue source — either allocation of proceeds from one-half cent of the state's existing sales tax or by securing the power to levy taxes and fees that cities now enjoy.

The California Taxpayers' Association says it would oppose an attempt to give counties the same taxing powers as cities. "There would be a lot of opposition," says Cal-Tax's Rebecca Taylor. "The moment the counties can raise money locally they'll be using it to fund mandates and the state will push more on the counties."

John Kirlin, a University of Southern California professor of public administration serving as consultant to the CSAC commission, doubts the counties will be successful in getting the state to turn over part of its sales-tax proceeds, noting it took school officials years of complaining before voters agreed last November to guarantee state funding for them by way of Proposition 98.

"There is not that drumfire about counties that there was about schools," he says. "It takes time to develop consciousness of an issue. Everyone knows what K through 12 education is. Counties are much more complex, and a lot of things counties do people don't like. They're a harder sell than schools. There's not a lot more money out there to be had for the public sector."

Kirlin says the counties' best shot is at achieving a stronger role in the state budget process and forcing responsibility for indigent care back on the state.

"It's both poverty and uncertainty that's driving county problems," says Kirlin. "The policy-making over shape and services is set by the state and counties have to fund them. That has put counties in a tremendous bind. It's strapped them fiscally."

— Kathy Zimmerman McKenna

Committee. He says cities are coping on their own, but they are "the Greta Garbo of government. They just want to be left alone."

"We are relatively better off. Not well off, we're just not hurting as badly," concedes Harrington. "Even though [new taxes] often require voter approval, if we have a real problem people understand and identify with city programs. County programs are less popular."

Although counties view cities as siphoning off some of their tax dollars, their biggest beef is with the state, which mandates programs they must provide but fails to give them enough money to pay for the services. Most counties are find-

ing it difficult to survive as a result. They do so by cutting services or seeking bailout money from the state each Spring when the state's own budget debates often leave county programs slated for the chopping block.

"We call it the annual Spring-rites dance at the Legislature, trying to grab any crumbs we can," says Alameda County Administrator Steve Szalay.

Today, the average California county has discretion over just 5 percent of its funds, according to CSAC. The rest of

the money must be spent on state-mandated programs. Just 15 years ago 70 percent of a county's budget was spent on state-mandated programs with the remainder available for local county programs.

"Cities poke counties in the eye with redevelopment, and we poke them in the other eye with state mandates," says Detwiler.

Prior to Proposition 13, if the state failed to provide enough money for a program it mandated counties provide, counties could levy a new tax to make up the difference. Counties no longer enjoy that taxing authority and are reeling from the growing demands placed on them.

Nowhere has the funding shortfall been more apparent than in services for the state's indigent population.

In 1983 the state transferred responsibility for the health care of the Medically Indigent Adult (MIA) population from the Medi-Cal program to the counties. At that time the state provided counties 70 percent of the funds it was spending on treating MIAs. In today's dollars, the state provides counties less than 50 percent of what it would have been spending had it retained control of the program.

On top of that, soaring drug-related shootings and births by drug-addicted mothers have placed unprecedented demands on county hospitals. In 1966, 49 counties operated 64 hospitals in California. Today, 24 counties run 31 hospitals.

In February, Alameda County was dealt an additional blow when private health carrier Maxicare announced it was dumping 11,000 Bay Area clients due to inadequate Medi-Cal reimbursements from the state. While seeking emergency monies from the state to help it with the expected influx of Maxicare patients, Alameda County has hired a 41-year-old Jesuit priest to help it set funding priorities for health care. Ultimately, organ transplants may be denied in favor of higher funding of prenatal care.

CSAC lobbyist Karen Coker says other counties are likely to follow Alameda's lead.

"Counties are the biggest provider of uncompensated care. They're not only providing services to people who can't afford to pay, but reimbursement from the state is less now than it was in 1982," says Coker. "Patients are in the hospital longer, they're sicker and cost more money. We don't have primary care clinics so there's very little preventive care for indigents. It's killing the counties."

Since 1983 admissions have increased 40 percent and the length of stay has jumped 34 percent at county hospitals, Coker says.

There are an estimated 5.2 million Californians without health insurance. Alameda County is typical of the large urban counties that have a high proportion of poor people needing free health care. The county is witnessing an increase in its welfare caseload of 300 a month.

"Last year we were able to just barely balance our budget by making \$8 million in cuts and using \$7 million in one-time reserve money," says Alameda County's Szalay. "On top of that we had \$25 million in new programs we should have funded but didn't have the money for."

While counties won a big battle last year with the state agreeing to half-year funding of trial courts this year and full-year funding next year, it hasn't been the boon everyone said it would be. Even if Alameda County receives its \$18 million in full-year trial court funds in August, Szalay says \$45 million still will have to be cut from the county's \$820 million budget.

And whether Proposition 99, the tobacco-tax increase voters approved last November, ends up helping counties meet unfunded health-care costs remains to be seen. Governor Deukmejian had proposed using Proposition 99 funds to take the place of existing state funding for uncompensated care instead of using the increased tax revenues to supplement funding. He also threatened to cut \$209 million in local

Alameda County has hired a 41-year-old Jesuit priest to help it set funding priorities for health care.

mental-health funds unless Democratic legislators agree to freeze cost-of-living increases for welfare programs.

But an unexpected \$2.5 billion tax-revenue windfall this Spring provided some relief to counties, staving off deep cuts in state funding. The governor, however, did veto a \$116 million augmentation in community health funds along with a \$100 million appropriation of the tobacco-tax revenues slated for trauma-care centers.

Deukmejian maintains, however, that counties will receive \$500 million more this year than last year and that they have received "an unprecedented amount of new revenue" under his administration.

"While it may be politically expedient for some in the counties to blame the state, it is neither fair nor accurate," said Deukmejian at a July 12th news conference.

CSAC's Naake, meanwhile, contends that the state budget largely maintains the status quo for counties. "The budget was a big disappointment to a lot of folks," said Naake. "Basically it's a status quo budget for counties. [The governor's] priorities have always been clear: higher education, [department of] corrections and building up a budget reserve."

Deukmejian said the \$100 million trauma-center appropriation should be dealt with independently from the budget pending legislation that allocates all of the \$804 million worth of tobacco-tax revenues. He said counties are likely to



Naake

receive most of the tobacco-tax revenues to fund health services.

Democratic legislators hope to restore the mental-health funds in August when they hash out a compromise with the governor over the \$157 million he set aside to restore his pet projects, which the Legislature did not fund.

Coker says counties don't expect they'll get all the money they need to fully fund indigent services though and the tobacco-tax revenues won't serve as a long-term solution if tobacco use declines as expected down the road.

And while counties fight to improve mental-health funding, they also war among themselves for the existing monies. San Diego has had success in the courts over its contention that state mental-health dollars are being allocated unfairly. San Diego now has a suit pending to require the state to increase its share of state hospital beds for mentally ill county residents. Orange County, one of those who lost money as a result of San Diego's last successful court challenge, expects soon to file a lawsuit in response.

State mental-health funds are allocated on a basis of when a county opted into the state's community mental-health-care program and on a formula predicated on the percentage of property tax revenues received by each county prior to Proposition 13. The results are often dire. For example, San Diego is turning away nine out of 10 people that come in for counseling, Coker says. Unless a new stable revenue source is found for counties, Coker says they'll continue to "hope for year-to-year miracles that have kept the fingers in the dikes for us."

Three options for new revenues have emerged, but counties hold little hope any will pass muster with voters. CSAC is pushing a plan to require the state to shift proceeds from a half-cent of its existing sales tax to counties. But the

state, strapped with its own budget woes, is unlikely to do that.

Some have suggested a tax on alcohol could help raise money for counties, but counties run controversial welfare programs that many voters resent, and it appears they are unlikely to approve of paying higher taxes to beef up funding for those programs.

Voter Revolt, which brought us last year's successful insurance-reform initiative, Proposition 103, is trying to qualify another initiative for the June 1990 ballot that would aid counties. Campaign manager Bill Zimmerman says it would make commercial taxpayers pay their fair share of local property taxes while homeowners and renters would receive a break. About \$2 billion of the additional tax revenue generated would revert to counties, cities and schools. Still county lobbyists say they doubt the measure will succeed given tremendous business opposition.

The Legislature has done some things to aide small, rural counties, including passing legislation in 1987 allowing them to seek voter approval for an increase in the sales tax to fund general services. But only one of the 15 elections held under the legislation's provisions has been successful.

Les Cohen, lobbyist for the 22-member Regional Council of Rural Counties, says the small counties are benefiting from the state Rural Renaissance program begun in 1986, which provides promotional money to help attract tourists and businesses. But those funds are always targeted by the Legislature as some of the first to be cut, says Cohen.

"It's difficult because they always recognize the problems of Los Angeles and San Diego where 30 trauma units are threatened with closure, but a hospital closing in a rural area means a longer way to go for emergencies for those residents, too," he says.

Some of the larger cities and counties have attempted to get around the two-thirds voter approval required of special taxes by either seeking enabling legislation to allow them to secure only majority approval for a sales-tax increase or contending a tax proposal is a general tax and not a special tax.

Several counties have succeeded in winning voter approval for special transportation taxes, but sometimes voter approval isn't enough. For instance, San Diego County is appealing a court decision that voided a half-cent sales-tax increase, approved by a majority of voters in November for jail construction and court expansion, because it circumvented Proposition 13 by not requiring two-thirds voter approval.

The city of Oakland has also floundered in its attempt to levy a parcel tax that it said required only majority approval. A court held the tax needed two-thirds approval. The city is now considering imposing assessment-district fees to generate revenue for its general fund.

Some counties such as San Luis Obispo, Kern, Santa Barbara and Sonoma are better off than the rest, Detwiler says, because they have energy-based economies that bring in extra revenue. Santa Barbara and Kern have oil, San Luis Obispo has Diablo Canyon nuclear power plant and Sonoma has geothermal plants.

For the rest of the counties, absent a new funding source, their only other hope is that the state will raise Medi-Cal reimbursement or approve a health-insurance plan for the nearly 20 percent of Californians who can't afford to pay for coverage. But all of the legislative proposals for such health-insurance plans for the poor have been stymied once again this year in the Legislature.

"The Legislature has a very good record on responding to acute problems. You have a flood or an earthquake, we're there," says Detwiler of the Senate Local Government Committee. "But solve a chronic [welfare] problem, no. And like a chronic illness it's slowly debilitating counties." 

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Cartoon by Chris Van Overloop

CSU: Up to its neck in students

By Christine Kohn

California State University has growing pains. The burgeoning system, spread across 19 campuses from San Diego to Arcata, must decide how to accommodate nearly 200,000 new students during the next two decades. Not only that, CSU and other higher-education systems must figure out how to prepare and entice growing numbers of minority students from an ever-evolving ethnic population — a difficult task with few guideposts.

The problems were recently set forth by the Legislature in its review of the state's master plan for higher education, with a warning: "There is no available scenario which would allow the CSU system to accommodate the tens of thousands

of additional students applying to its nineteen campuses, without serious additional expansion."

CSU is the middle component of the state's three-tier post-secondary education system, joining the nine-campus University of California and 107 community colleges. CSU accepts the top third of high-school graduates (UC, the top 12.5 percent). CSU also offers master's degrees, but not the doctoral programs that are the exclusive province of UC. And although CSU grumbles now and then about wanting to add doctoral programs of its own, its main focus for the foreseeable future will be how to accommodate expansion within its existing program.

To decide how many students to anticipate, CSU uses population-growth estimates compiled by the state Department of Transportation. And according to CalTrans, as many

Christine Kohn is a California Journal intern.

as five million people per decade will be added to the state's population over the next 20 years. That adds up to 34.5 million Californians by the year 2005. For CSU, that growth translates into 186,000 more students — equal to 10 campuses the size Fresno State, according to CSU's chancellor, W. Ann Reynolds.

For the state, those projections translate into big, big bucks. According to the university's own figures, growth will



W. Ann Reynolds

mean a CSU annual budget of \$3.6 billion by 2005. Based on 1989 dollars, "We're talking about roughly a 65 percent increase in the budget," said Frank Jewett, CSU project director for expansion.

Money isn't the only consideration, however. According to the state's Master Plan for Higher Education, CSU must try to diversify the ethnic composition of its student body in order to conform to the ethnic make-up of the population at large — an educational equity that is key to growth projections. That means attracting more minority students, primarily Latinos.

As of July 1st, California's population was 57 percent Anglo, 25 percent Latino, 9 percent Asian and 7 percent Black, according to the state Department of Finance's population-research division. CSU's student body for the Fall 1988 semester was (rounded to the nearest whole percent) 68 percent Anglo, 11 percent Latino, 16 percent Asian and 6 percent Black (7 percent failed to indicate ethnicity). Thus Latinos currently are under-represented among CSU students; Anglos and Asians over-represented.

Finance predicts that by 2005 the state's population is expected to be 48 percent Anglo, 32 percent Latino, 12 percent Asian and 7 percent Black. CSU must try to conform its student body to fit this composition. CSU predictions are slightly different. According to Jewett, the university assumes a slightly larger percentage of Latinos and Asians because those populations will be younger and CSU is concerned with the school-age population rather than the population at large. Thus, it would like its student body to be 38 percent Anglo, 36 percent Latino, 18 percent Asian and 8 percent Black.

Growth and ethnic diversification are tied together because CSU's projections assume ever-increasing numbers of minority students. But the accuracy of those projections depends in large measure on improving high-school graduation rates among minorities, especially among Latinos. Although Latinos make up 25 of the state's population, they do not produce the same percentage of high-school graduates

eligible to attend CSU. Drop-out rates among Latino students are very high; the state Department of Education estimates that half of all Latino youth never graduate from high school. Thus, the university is at the mercy of educational and demographic trends when attempting to attract qualified minority students. The university, however, has no choice but to predict future enrollment based on the fact that by the next century Latino children will graduate at the same rate as do Anglos.

Nor is the transfer rate from community colleges enough to boost CSU enrollment to appropriate levels among minorities. Out of every 1000 minority students enrolled in California's two-year community colleges, only 22 transfer to CSU. Of those Black and Latino students that do enroll in CSU, fewer than 40 percent graduate.

Failure to improve educational opportunities for minorities is a cause for concern. According to a report by the California Economic Development Corporation, "If we do not educate all our people for tomorrow's jobs, our society could become increasingly polarized between the rich and the unskilled."

That, experts warn, could increasingly stratify the state between educated "haves" and uneducated "have-nots." The Legislature's Committee for the Review of the Master Plan for Higher Education called this possibility "one of *de facto* educational, economic and social apartheid."

In addition, new jobs appearing in the next century will more than likely require a college education, especially in technological and professional areas. "Unless college participation rates increase, the state's labor force will be increasingly less-qualified for the available jobs," said a CSU growth plan progress report.

Once students are enticed into CSU, the system must be able to accommodate them. To this end, a new CSU campus or two may be long overdue. The system built eight campuses during the 1950s and '60s to accommodate post-World War II growth but has not constructed a new facility since 1965. Yet, the state's population has more than doubled over the past 24 years. CSU has accommodated increasing enrollment by expanding existing campuses, and by establishing seven off-campus learning centers. These centers (El Centro, Stockton,

For CSU, that growth translates into 186,000 more students — equal to 10 campuses the size of Fresno State.

Ventura, San Francisco, San Marcos, Palm Desert, and Pleasant Hill; with two more planned in Salinas and south Orange County) are satellite expansions of host CSU universities.

As a result, several CSU campuses are beginning to feel an enrollment squeeze. Moreover, during the next 20 years, at least half of the system's campuses will either reach or be very close to capacity, according to Jewett. Preliminary estimates show that existing campuses should be able to handle about 80 percent of the projected student growth. This leaves about 33,000 students eligible to attend the California State University but with no room.

CSU officials have been searching for places to put all those eligible students, including new campuses. The ques-

tion is, where" A 1984 survey found three areas underserved by existing facilities: northern San Diego County, Ventura County and Contra Costa County. Trustees recently gave the go-ahead for the 20th permanent campus in northern San Diego County; converting the off-campus center at San Marcos into a full-blown university. San Marcos was chosen because its host, San Diego State, is close to capacity in a rapidly growing part of the state. CSU-San Marcos is expected to

All this requires money; CSU officials estimate that capital expansion alone will cost \$120 million a year over the next 15 years.

hold its first classes in the fall of 1990 at the off-campus facility, with the first stage of construction on the bigger campus completed in 1992.

CSU also owns land in Contra Costa County near Concord and plans are underway to transfer CSU-Hayward's off-campus center to the state-owned site. CSU is also negotiating a land purchase in Ventura, the largest county left unserved by a state university campus. Continued expansion of existing campuses is also an option, with as many as six of the campuses expected to request higher enrollment ceilings during the next half year. All this requires money; CSU officials estimate that capital expansion alone will cost \$120 million a year over the next 15 years. Much of that money comes from the sale of voter-approved bonds. And although CSU has enjoyed voter support in past years for capital outlay (voters have never turned down CSU), CSU official John Smart indicated that support eroded a bit in the last election. "I know there's a limit somewhere," he said.

CSU can also redirect students to a different campus if their first choice is full, a practice used by UC for years. Not everyone is receptive to this idea, however.

"Our studies on redirection show that only 30 percent of redirected applicants appear at the campus to which they were redirected," said Smart. Problems include long commutes or moves that often cause hardships for older applicants who may have work and a family to deal with, he said. Redirection also has been unpopular with younger, more mobile applicants who usually apply to several campuses and only will accept transfer to one of their original choices.

Other options include year-round operation and telecourses. Currently four campuses operate on a four-quarter basis (Los Angeles, Hayward, Pomona and San Luis Obispo). According to CSU officials, going without the traditional summer break could allow the system to serve more students without parallel expansion of buildings and facilities. Telecourses allow students to receive instruction off-campus via television, coming on campus several times to take tests. But CSU's John Smart says an expanded year and telecourses are marginal help, at best.

Ultimately for CSU to maintain the kind of quality educational opportunities expected of California's higher-education system, the state will have to spend money for new campuses. 

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| Aug. 30 | The Legislative Process, Bill Tracking and Analysis | Ontario |

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ROLL CALL

HEALTH INSURANCE

AB 60 (Isenberg) Would provide state-funded health insurance to Californians who are unable to obtain adequate coverage from other insurers because of a pre-existing medical condition. Passed the Assembly June 26th, 69-6. Senate Industrial Relations Committee.

TOLL ROADS

AB 680 (Baker) Would allow private businesses to build and operate four experimental toll roads that could eventually be administered by the state. Passed the Assembly June 30, 65-10. Passed the Senate June 30th, 27-9. Chaptered.

MASS TRANSIT

AB 973 (Costa) Would place a \$1 billion mass transit bond on the June 1989 ballot and on the November 1992 and 1994 ballots. Passed the Assembly June 30th, 68-6. Passed the Senate June 30th, 38-0. Chaptered.

COMPUTER CALLS

AB 1426 (Roybal-Allard) Would clarify legislation restricting computer-generated sales calls. Passed the Assembly April 20th, 68-3. Passed the Senate June 23rd, 36-0. Chaptered.

PLASTIC RECYCLING

AB 2199 (Bates) Would require local governments to adopt recycling plans for plastics to reduce landfill dumping. Passed the Assembly June 26th, 49-27. Senate Natural Resources and Wildlife Committee.

SENATE

	AB 680	AB 973	AB 1426	SB 205	SB 382		AB 680	AB 973	AB 1426	SB 205	SB 382
Democrats						Republicans					
Alquist	N	Y	Y	Y	Y	Bergeson	Y	Y	Y	N	N
Ayala	Y	Y	Y	Y	Y	Beverly	Y	Y	Y	N	N
Boatwright	Y	Y	Y	Y	Y	W. Campbell	Y	Y	N	N	N
Deddeh	•	•	•	•	•	Craven	Y	Y	Y	N	Y
Dills	Y	Y	Y	Y	Y	Davis	Y	Y	Y	Y	Y
Garamendi	N	Y	Y	Y	-	Doolittle	Y	Y	Y	-	-
C. Green	Y	Y	Y	N	Y	Leonard	Y	Y	Y	N	N
B. Greene	-	Y	-	-	Y	Maddy	Y	Y	Y	N	-
L. Greene	Y	Y	Y	N	-	Morgan	•	•	Y	N	N
Hart	N	Y	Y	Y	Y	Nielsen	Y	Y	Y	-	N
Keene	Y	Y	Y	Y	Y	Rogers	Y	Y	Y	N	N
Lockyer	N	Y	Y	N	Y	Royce	Y	Y	Y	N	N
Marks	N	Y	Y	Y	Y	Russell	Y	Y	Y	N	N
McCorquodale	N	Y	Y	N	Y	Seymour	Y	Y	Y	-	-
Mello	Y	Y	Y	N	Y	Stirling	Y	Y	•	N	•
Montoya	Y	Y	Y	Y	Y						
Petris	-	Y	Y	N	Y						
Presley	Y	Y	Y	Y	Y	Independents					
Robbins	Y	Y	Y	Y	-	Kopp	Y	Y	Y	Y	Y
Roberti	N	Y	Y	-	Y						
Rosenthal	N	Y	Y	N	Y						
Torres	Y	Y	Y	Y	Y						
Vuich	Y	Y	Y	Y	N						
Watson	N	Y	•	N	•						

INSURANCE COMMISSIONER — CONTRIBUTIONS

SB 205 (Hart) Would prohibit candidates for state insurance commissioner from accepting campaign contributions from insurance companies. Failed the Senate June 29th, 25-29. Senate Governmental Organization. Senate Unfinished Business.

STATE DISABILITY

SB 382 (Greene, B.) Would establish a new formula for figuring state disability payments that would raise benefits to disabled workers. Passed the Senate June 23rd, 21-10. Assembly Finance and Insurance Committee.

ASSEMBLY

	AB 60	AB 680	AB 973	AB 1426	AB 2199		AB 60	AB 680	AB 973	AB 1426	AB 2199
Democrats						Republicans					
Areias	Y	N	Y	Y	Y	Allen	Y	Y	Y	Y	N
Bane	Y	Y	Y	Y	Y	Bader	Y	Y	Y	Y	Y
Bates	Y	N	Y	Y	Y	Baker	Y	Y	Y	Y	N
Bronzan	Y	Y	Y	Y	Y	Bentley	Y	Y	Y	Y	N
W. Brown	Y	Y	Y	Y	Y	D. Brown	N	Y	N	N	N
Burton	Y	N	Y	Y	Y	Chandler	Y	Y	Y	Y	N
Calderon	Y	Y	Y	Y	Y	Felando	Y	•	•	Y	Y
R. Campbell	Y	Y	Y	Y	Y	Ferguson	Y	Y	Y	Y	N
Chacon	Y	Y	Y	Y	Y	Filante	Y	Y	Y	Y	Y
Clute	Y	Y	Y	Y	Y	Frazee	Y	Y	Y	Y	N
Condit	Y	Y	Y	Y	Y	Frizzelle	Y	Y	N	Y	N
Connelly	Y	N	Y	Y	Y	Hansen	Y	Y	Y	Y	Y
Cortese	Y	Y	Y	Y	Y	Harvey	Y	Y	Y	Y	N
Costa	Y	N	Y	Y	Y	Hill	Y	Y	Y	Y	N
Eastin	Y	•	•	Y	Y	R. Johnson	Y	Y	Y	Y	N
Eaves	Y	Y	Y	Y	Y	Jones	•	Y	Y	Y	•
Elder	•	Y	Y	Y	•	Kelley	Y	Y	Y	Y	N
Epple	Y	Y	Y	Y	Y	LaFollette	Y	Y	Y	•	N
Farr	Y	Y	Y	Y	Y	Lancaster	Y	Y	Y	Y	N
Floyd	Y	N	Y	Y	Y	Leslie	Y	Y	Y	Y	N
Friedman	Y	N	Y	Y	Y	Lewis	N	Y	N	N	N
Hannigan	Y	Y	Y	-	Y	McClintock	-	•	•	-	N
Harris	Y	Y	Y	Y	Y	Mojonnier	Y	Y	Y	Y	N
Hauser	Y	Y	Y	Y	Y	Mountjoy	N	Y	N	Y	N
Hayden	Y	•	•	•	Y	Nolan	N	Y	Y	Y	N
Hughes	Y	Y	Y	Y	Y	Pringle	Y	Y	N	N	N
Isenberg	Y	Y	Y	•	Y	Quackenbush	Y	Y	Y	Y	N
Johnston	Y	Y	Y	Y	Y	Seastrand	Y	Y	N	Y	N
Katz	Y	Y	Y	Y	Y	Statham	Y	Y	Y	Y	N
Killea	Y	Y	Y	Y	Y	Woodruff	N	Y	Y	Y	N
Klehs	Y	Y	Y	Y	Y	Wright	Y	Y	Y	Y	N
Lempert	Y	Y	Y	-	Y	Wyman	N	Y	-	-	N
Margolin	Y	N	Y	•	Y						
Moore	Y	Y	Y	Y	Y						
Murray	Y	Y	Y	Y	Y						
O'Connell	Y	Y	Y	Y	Y						
Peace	Y	Y	Y	Y	Y						
Polanco	Y	Y	Y	Y	Y						
Roos	Y	Y	Y	Y	Y						
Roybal-Allard	Y	Y	Y	Y	Y						
Sher	Y	N	Y	Y	Y						
Speier	•	N	Y	Y	•						
Tanner	Y	Y	Y	Y	Y						
Tucker	Y	Y	Y	Y	Y						
Vasconcellos	Y	Y	Y	Y	Y						
M. Waters	Y	Y	Y	Y	Y						
N. Waters	Y	Y	Y	Y	Y						

Source: State Net



Colleges face teacher shortage

By Judy Tachibana

After years of having their pick of many candidates for few teaching vacancies, increased student enrollments and massive faculty retirements have California's colleges worried about a teacher shortage.

Following years of minimal hiring, the state's tripartite system of higher education will need more than 38,000 additional full-time teachers by the year 2005. Colleges and universities across the country will be vying for those holding graduate degrees, but the recruitment even within California will be competitive.

Continued on next page

Judy Tachibana is a reporter for the Sacramento Bee.

The University of California system expects to need more than 10,000 new full-time teachers by 2005, said Calvin Moore, UC associate vice president of academic affairs.

"We are worried that the supply of PhDs will not be adequate," Moore said. "It's worrisome in that we are going to compete for available talent along with other institutions."

The 19-campus California State University system will also be hunting for teachers, including ethnic minorities. "The CSU will need 10,000 new faculty members by the year 2000, and many more than in the past must be women and minorities if we are to effectively serve the college-age population of the 21st Century," said Chancellor W. Ann Reynolds.

The California community college system predicts a need of 18,000 full-time teachers. For the state's 107 community colleges, hiring new teachers will be difficult for several reasons. Demand is expected to outstrip supply as the two-year colleges compete not only with colleges and universities nationwide, but with business, government and industry for the same pool of people with graduate degrees.

And in places like Orange County,

the San Francisco Bay area and Ventura County, where median housing prices have already skyrocketed above \$230,000 range, beginning teacher's pay — generally in the mid-\$20,000 range — looks low.

But perhaps what may make the hiring most difficult is recent reform legislation that will change the complexion of the faculty at the two-year colleges. Written by Assemblyman John Vasconcellos, a Democrat from San Jose, the reforms require the community colleges to increase both the proportion of minority teachers and the number of full-time faculty members.

The \$70 million reform package requires the two-year schools to increase their number of full-time teachers in two years. That demand could require an additional 2000 full-time teachers, said Gary Paque, analyst with the state chancellor's office. Currently the system has 15,400 full-time and 24,400 part-time teachers.

While educators recognize the impending hiring need, the community colleges have had little practice in aggressive recruitment. For years, California's 71 community college districts were simply not hiring.

"We didn't have money for new positions and people weren't leaving the system," said California Community College Chancellor David Mertes. "This is a dramatic change."

For many years, the Los Rios Community College School District in Sacramento hired an average of 12 teachers a year. Last fall, as positions began opening up, the district hired 42 full-time faculty members. Next fall it expects to add at least 50 more.

"Until last year, we hadn't hired a psychology teacher since 1971," said Jeanne Good, director of personnel services, "and we haven't hired a history, anthropology, sociology or political-science teacher in more than 10 years."

The crunch hasn't yet hit Orange County's Saddleback Community College District, said the district's chancellor, Richard Sneed. The district is still attracting up to 100 applicants for an English position, he said, "but for laser technology or physics we are lucky to get 10 [applicants]."

"I think in the future there's going to be a shortage crisis, particularly in districts like ours that are growing fast," Sneed said.

James Kellerman, chancellor of the North Orange County Community College District, said that his district has a senior staff, many of whom will retire within a decade. At Fullerton College, one of the oldest in the system, half of the faculty will be replaced, he said.

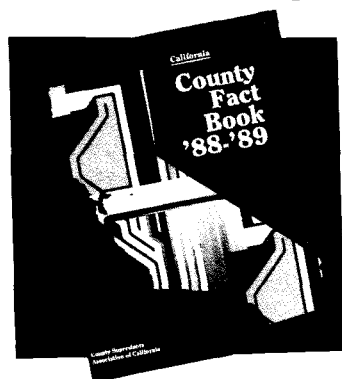
"There's some potential for critical shortages in math, science and perhaps composition," Kellerman said. "It's going to be a buyer's market if you are a teacher."

Some of those buyers will surely consider the attractive bonuses that will be offered by businesses and universities. While some universities like UC and Stanford offer, for example, housing subsidies to attract faculty members, community colleges have no such programs. In fact, most now do not pay for a faculty applicant's travel and housing expenses during the interview process. The money is simply not there. When San Bernardino Valley College President Manuel Rivera interviewed for his present position three years ago, interview expenses cost him \$3000.

The shortage will not be limited to California. Nationwide, as many as 500,000 teachers will be needed in higher education by 2009, said Jack Schuster, professor of education and public policy at the Claremont Graduate School and co-author of the book, "American Professors: A National Resource Imperiled."

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"For fields that have done virtually no hiring for 20 years — humanities and social sciences — there's going to be an enormous need to hire," Schuster said. "There may still be runaway demand for hot areas like computer science."

The demand is expected to quickly outstrip the supply, particularly in math, science and engineering. Betty Vetter, executive director of the Commission on Professionals in Science and Technology, said there will be a shortage in the number of people trained in these fields.

"By the year 2000 we will need about 18,000 natural science and engineering PhDs, but we are only producing 8000 now and the numbers are dropping," Vetter said. Only a portion of those plan to go into teaching.

The number of MAs and PhDs granted by UC and CSU are increasing slightly, said Murray Haberman, specialist for the California Postsecondary Education Commission.

"There has been a very slight increase in the number of minorities receiving graduate degrees," Haberman said, "but their proportions are not [increasing]. Clearly the number of minorities in graduate school is not at parity with the population."

That will make it difficult for the community colleges to meet goals set by the reform legislation:

- By the 1992-93 school year, 30 percent of all new hiring in the system should be of ethnic minorities.
- By the year 2005, the community college workforce should proportionately reflect the adult population of the state.

California's population is expected to become more than 50 percent ethnic minority by 2003; its community college full-time faculty representation is now about 15 percent ethnic minority.

UC's full-time faculty is about 15 percent women and 12 percent minority, Moore said. About 14 percent of CSU faculty members are minorities.

Although the community college's state board of governors adopted affirmative-action regulations 12 years ago, the representation of ethnic minorities and women in faculty and administrative positions is not significantly greater than that which existed in 1970, said analyst Paque. Women make up 35 percent of the community college faculty.

No community college district in California has achieved a balance between the number of minorities in its regular and contract faculty group and the district's general population, Paque said. More than half of the districts

would have to at least double their minority faculty numbers for adequate minority representation.

A report issued by the chancellor's office last year found that leadership from the office on affirmative action had been "inconsistent and sporadic."

The state board of governors adopted an affirmative-action plan in March and board members say action will be taken. Board member William Kolender said that not much progress has been made yet, but the board is unified in its feeling that action must be taken while the "window of opportunity" exists. "Enough words and comments have been made; it's time for action," Kolender said. "We need to start yesterday. To find the kind of numbers we are talking about is going to be very difficult."

Educators agree that the number of qualified minorities in the pipeline needs to be increased, that an effort needs to be made to interest K-12 students in teaching and that UC, CSU and the community colleges need to work together. No statewide effort is in action now to make these things happen, said Scott Wiley, president of the state board of governors.

Hilary Hsu, chancellor of the San Francisco Community College District said, "What needs to happen is policy change at the state level in terms of financial aid programs." She pointed out that when the G.I. bill was introduced, millions of people signed up for college. "If we want to do something, I think we could," Hsu said. "We need to identify such a policy or instrument so people will act accordingly."

Any gains in minority hiring are basically a result of a district's commitment and effort, Haberman said. For example, 40 percent of the new hires in Los Rios and 30 percent in San Francisco were minority.

But not all 71 districts are equally

committed, and leadership from the chancellor's office is needed and is not being demonstrated, said Thelma Scott Skillman, spokeswoman for the Black Association of California Community Colleges and vice president of student development services at Cypress College.

"There needs to be a lot more joint effort with the chancellor's office," Skillman said. "If it doesn't come from them in an affirmative voice, then districts will be slow to implement the kind of hiring practices that will be needed."

Robert Gabriner, president of the Community College Council of the California Federation of Teachers, agreed.

"I don't think most districts have made affirmative action a high priority," Gabriner said. "And the chancellor's office leadership in this area has been less than stellar. It's much more a bureaucratic strategy. The question is whether guidelines and good intentions are sufficient. I don't think they are."

State vice chancellor Gus Guichard said that until the reform legislation recently provided funds for staff diversity, enough money was not available for affirmative action.

Reacting to guidelines set by the reform legislation, state Chancellor Mertes said that his office plans to begin national recruitment efforts and a computer-based affirmative action registry.

Some feel that the chancellor's office has not pushed it as a high-priority issue.

"They need to give the same attention to affirmative action that they would give to budgeting and instruction. It is my opinion that they have not," said Venancio Gaona, president of the LaRaza Faculty Association of California Community Colleges at Fresno City College. "Why did it take an act of Legislature for them to begin to act on it?"

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High finance on high tech

By Ward Winslow

With a dime-store wand, California government is out to play fairy godmother in an expensive arena known as "technology transfer," or turning high-tech research into commercial products. The state's wand is the California Competitive Technology Program created by Governor George Deukmejian in a May 1988 executive order. The program is designed to seek out high-tech research projects and seed them with grant money. Only one catch: Because funds are limited, the state itself will have to determine which projects have widespread public benefits and thus deserve help.

Much research is done on a financial shoestring, and because a lot of money can be made if a venture is successful in the marketplace, even limited seed money from the state is important, perhaps critical, for some projects to go forward. Thus, the state and its various political institutions may have a decisive hand in determining who gets help, placing state officials in the whirl of a highly competitive vortex called research and development.

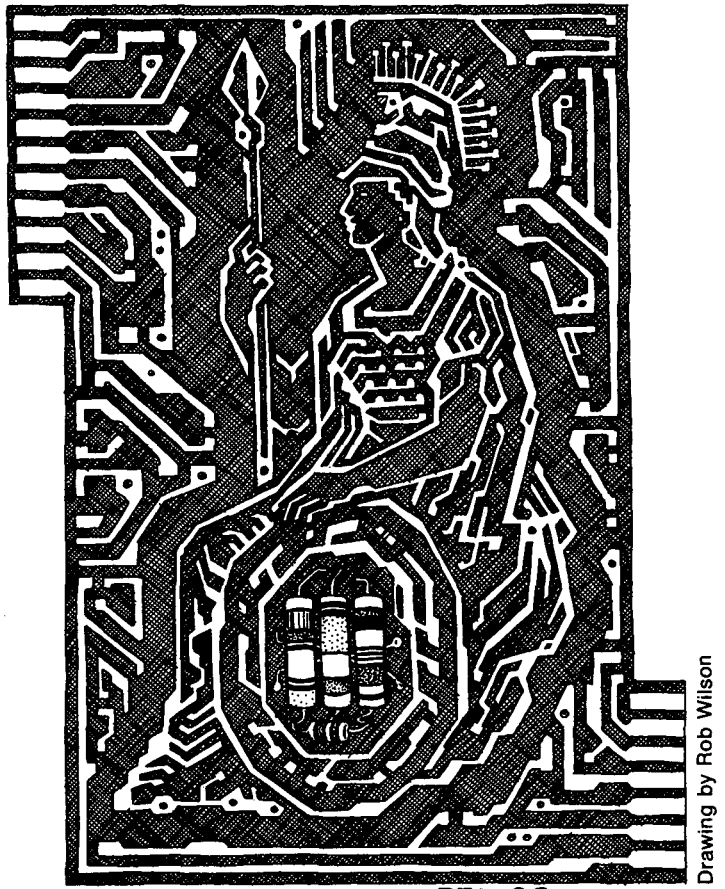
Oh, no, the skeptic might note. Aren't these the same California politicians who did less than yeoman's work on past forays into high-tech: the state's bid for the superconducting supercollider, a pitch for Sematech's high-tech research center and a federal earthquake research center — all of which went elsewhere? And now they plan to determine the merit of complex research projects?

Oh, yes.

Technology transfer has grown slowly, in part due to the cost. Bringing an invention to market can cost tens of millions of dollars and take up to 20 years. A rule of thumb about moving lab science to the factory floor is that for every \$1 spent on research, it takes \$10 for development and \$100 for production and distribution. To complicate matters, competing academic researchers tend to be secretive and suspicious, while industrial collaborators are nervous over potential antitrust violations. In the past, research collaboration among private companies was taboo in many situations, an aura that still glows faintly.

But California's sci-tech community is upbeat about making the state program work, even though "collaborative

Ward Winslow is a writer from the Silicon Valley area who specializes in high technology issues.



Drawing by Rob Wilson

research" today is more experiment than practice and the state's investment will amount to only one three-thousandth of the \$60 billion annual federal research-and-development outlay. Still, in an area where one last nickel often can make or break a project, the state funds are welcome.

These projects are often risky, too speculative for anyone to "bet the company" on or to attract the lone venture capitalist. Yet if successful, many of these projects could provide broad public benefits. Thus, would-be creators are on the lookout for help regardless of the source, even from a state program armed with a few puny millions.

For example, the state's competitive-technology program provided a \$129,700 grant to pay for a computer simulation of an automobile engine sensor system designed to optimize combustion. If it succeeds, the sensor could reduce auto emissions, help car makers raise fleet fuel performance, and pay off commercially. However, it could easily prove a bust.

The state grant will be managed by RIMtech, a trade association's non-profit spin-off that links 15 small Southern California firms to the Jet Propulsion Laboratory at Pasadena. JPL, a NASA lab run by California Institute of Technology, designs various spacecraft, such as the long-lived Voyager units, and the project will build on that know-how. Kavlico, an electronic components manufacturer, will work with JPL, providing cash and engineering expertise on design requirements, manufacturing considerations and critical cost factors.

When Governor Deukmejian created the competitive technology program, he abandoned his earlier stand that high-technology industries were doing fine on their own. The Legislature reshaped Deukmejian's ideas in two bills enacted in September 1988. Since then, the governor has become one

of the program's biggest promoters, even vetoing money from other programs in the 1989-90 state budget so the Legislature would provide more for competitive technology.

Deukmejian's initial plan called for a grant program lodged in the Department of Commerce. He also called for a blue-ribbon group — appointed by the governor alone — to advise on grants and science policy. The Legislature, of course, wanted its fingers in the pie and dispatched the grant program to the Commerce Department's new Office of Competitive Technology. In addition, lawmakers scrapped the governor's advisory panel, substituting an 18-member committee appointed by the governor, the Assembly speaker and the Senate Rules Committee. The money allocated was \$7 million in fiscal 1988-89 and \$20 million in later years — the same amounts proposed by Deukmejian.

Operating under the potato-chip theory of lawmaking (one is never enough), the Legislature proposed yet another panel to dabble in the same arena. A joint resolution, authored by Democratic Assemblyman Sam Farr of Carmel, asked the president of the University of California to form a 21-member California Council on Science and Technology in collaboration with the presidents of the California State University system, the University of Southern California, Cal Tech and Stanford. It is to offer long-range advice to government, higher education and industry on how best to invest in research and development.

Deukmejian originally thought *his* panel would perform this service, but UC balked at close control by the governor and the Legislature. Thus, Farr's council is part of an effort to give the state a formal scientific voice, although it will remain independent of the competitive-technology grant program.

Optimism over the state's effort springs from California's rich resource base. Its sci-tech "human capital" is vast; more than 25 percent of the members of the National Academy of Sciences live and work in the state. The 34 federal research

laboratories based here have 50,000 employees, an operating budget of \$3 billion-plus, and a large reservoir of respect. California universities are renowned in science, to which their scores of Nobel laureates attest. Stanford leads the nation in revenues gained from licensing technology spawned by its faculty; the UC system is fourth after Wisconsin and MIT.

Another reason for optimism comes from the sci-tech community's success-rate. California industry, backed by California university brains, has a solid tradition of innovative success. Videotape, microprocessors, integrated circuits, personal computers and gene-splitting, to name a few, have been smash hits of private enterprise. They helped spur California's status as one of the world's largest economies, and also crammed state tax coffers.

Many research ties already link industry, higher education and government, but science and technology leaders think the network can be laced tighter. Congress opened the door in the 1980s by allowing universities to retain the intellectual property rights to discoveries made in federally-sponsored campus research. A 1986 law liberalized the sale of federal lab innovations and gave laboratory directors authority to decide what should be licensed for commercial use and to negotiate licensing terms.

Enhanced government-industry-university cooperation to advance California sci-tech enterprises has been promoted in several studies, among them the state Economic Development Corporation's "Vision: California 2010." Leaders of six major corporations helped frame the report, including retired Pacific Bell president Theodore Saenger, named by Deukmejian to chair the Competitive Technology Advisory Committee. "2010" urged using research and development to attack critical industry and environmental problems, create manufacturing jobs, and make California more competitive in world markets, where its rivals enjoy government technology support. This same refrain has been repeated, among other places, in hearings before the Legislature's Joint Com-

One grant: a cooperative venture

One example of the complexity and potential benefits of state-funded research projects is a grant of \$254,300 to San Jose State University. Classed under "manufacturing process," the research is aimed at developing a system to help engineers design better products.

The SJSU research is based on early work of American theorist W.E. Deming, and applies statistical procedures to product design, enabling engineers to try out experimental designs. Known as the Taguchi method, it is widely used in Japan but has not been very successful in the United States because few American engineers have enough training in statistics even to ask the right questions.

The purpose of SJSU's project is to enable a design engineer to sit at a computer terminal and, with a user-friendly program, design the product he wants. To achieve this, artificial intelligence (AI) procedures will be used to create a system able to walk the engineer through the design.

Burton Dean, chairman of the department of organization and management in SJSU's School of Business, heads a joint team of seven faculty drawn from the schools of business and science. State funds will support the team's work. "State funding was absolutely needed," said Dean because, unlike the big research universities, CSU

campuses lack extensive funds for research.

Private partners in the project are IBM, Lockheed Missiles and Space, and Varian Associates. Their matching contributions will take the form of personnel, software and access to Lockheed's AI center. IBM's Advanced Manufacturing Research Group has an extensive Taguchi library but lacked the internal resources to develop the system. Lockheed's research group faced the same problem. Varian joined because Burton Dean knew its corporate quality manager through the Bay Area Quality Improvement Network.

What do the various partners gain from all this? The industrial components gain the system itself and added product-design capability, making them more competitive. They may or may not resell applied forms of the system. The faculty researchers acquire new expertise and background for teaching. Also, excitement about the project helps attract new faculty, especially in areas where personnel pools are shallow. SJSU could earn some royalties, although that is not the purpose of the project.

Professor Dean said the state Office of Competitive Technology has encouraged him to seek a second, leveraging grant for contacting small companies and teaching them to use the system.

— Ward Winslow

mittee on Science and Technology.

In finally championing a state program, the governor applied a go-it-alone approach. "Here in California we invent the future," Deukmejian said in a radio address. "We have neither the need nor the intention to wait until the federal government or some other entity develops a selection process to establish these projects — a process over which California has little or no control."

State Commerce Department Director Kenneth Gibson reports that the grant program has excited high interest: 239 completed, eligible applications poured in for the first round of funding. From that stack, 29 projects were approved in May 1989 for grants totaling \$6.6 million. Universities and other non-profit research institutions will administer the state funds together with \$6.8 million in cash or in-kind services to be invested by participating private firms.

The funded projects ran the gamut of high-tech: \$2.3 million for superconductivity projects, \$1.33 million for micro-electronics, \$815,000 for agricultural biotechnology, \$738,000 for medical projects, \$489,300 for manufacturing process, \$450,000 for imaging technologies, \$129,700 for automotive engineering, \$25,000 for a Pacific Rim study and \$6400 for robotics. Thirteen of the 29 initial awards went to University of California institutions and seven to research universities, as well as to federal labs like NASA Ames Research Center in Mountain View, private applied research institutes like SRI International in Menlo Park, and Oakland Children's Hospital.

Despite the governor's declared hopes of "setting our own competitiveness agenda," the state is really at the mercy of immense federal outlays which inevitably call the tune for most public-financed research. Sci-tech leaders want the state to muscle up politically to protect its share of the federal largess.

For example, Cal Tech President Thomas Everhart notes that when competing for federally funded campus centers, federal bureaucrats now look for matching state grants when an applicant reaches the second round. California hasn't been making matching grants. Everhart also cites ABC ("Anywhere But California") cabals forming in Congress to stop state students and colleges from reaping all the funds they win in open competition. He and others believe that with sci-tech programs embedded in law, the state will be better organized to meet such challenges.

But the bottom line of state involvement is determining who gets how much and for what research. For instance, a bill by Democratic state Senator John Garamendi of Walnut Grove listed a dozen specific technology areas but authorized up to \$25 million early in the program for superconductivity projects. However, experts like Niels Reimers, Stanford's technology licensing chief, say commercial successes in superconductivity appear to be many years away. Gibson would like to see the state push some rapid-payoff projects, just for show.

Meanwhile, although the state launched its grant competition promptly, naming of the advisory committee lagged. In April the governor made seven of his 12 appointments. The Assembly speaker and Senate Rules Committee are supposed to appoint three each, but the law itself has caused delays. It stipulates that appointees must be Californians who are members of the National Academy of Sciences, National Academy of Engineering or National Institute of Medicine. Assembly Speaker Willie Brown held back one of his appointees after complaining that qualified nominees were difficult to find. Garamendi introduced a bill to delete this provision. To complicate the balancing act, a majority of the committee must hail from the private sector. Most of its members are expected to be distinguished retirees or technological front-lin-

ers. They'll draw expenses only, no pay.

To qualify for grants, private-sector involvement is mandatory, and an agreement covering intellectual property rights and other aspects must exist before a grant is made. This key requirement may give smaller companies an edge because corporations with large legal staffs are not likely to okay such deals swiftly.

Stanford's technology-licensing chief, Niels Reimers, says his all-engineer staff finds it takes twice as long to make a deal through a company's lawyers. This can cause problems, he said, because on lesser technology innovations, windows of opportunity often close quickly, making speed vital. He prefers to deal with top officials of small firms, whose personal interests mesh closely with those of their companies.

A research consortium including industry is a fairly new hybrid. Yet some, like the Stanford Institute for Manufacturing and Automation, already exist in California. Not everyone is a fan of these consortia, however; Herb Dwight, head of Superconductor Technology, a new Santa Barbara company, has complained to Gibson that consortia involving large companies compete unfairly with start-up firms like his.

The idea of speeding commercialization through technology transfer has a track record in California. Scientific Computing Systems of San Diego, for one, was able to adapt a computer software compiler that the Lawrence Livermore National Laboratory had spent 20 years developing. Buying the technology "off the shelf" saved the firm time and development cost.

Exchanging personnel is another form of technology transfer. At a November conference cosponsored by the Commerce Department and the California Engineering Foundation, one workshop estimated that manpower swaps pay back at least five times what they cost. Besides approving grant projects, the state's competitive-technology office may sponsor forums and demonstrations, and create and share data bases.

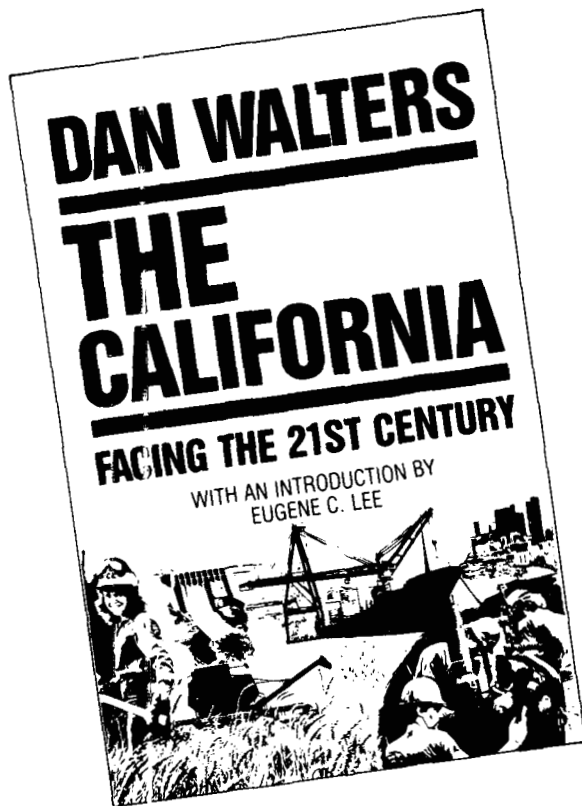
More political and economic clout could be wielded by the California Council on Science and Technology, the organ of the research universities being created under the Farr resolution. The council is being formed with UC Davis Chancellor Theodore Hullar as interim chair; Belle Davis, UC system-wide research and public policy director, is staff director.

"The unique characteristic of the council," a staff paper written in October said, "is its role in bringing together scientific, engineering and other expertise of the highest reputation to address high-priority problems in California, and provide through its panels and committees independent and objective findings that are therefore likely to be well accepted."

Subjects for its studies would be suggested by the universities, the governor and executive agencies, legislative committees, the Competitive Technology Advisory Committee and others. One open question is the council's funding; in the formative stages, the universities have chipped in to cover expenses. The council has the potential to be the nation's foremost state scientific sounding board. Nothing quite like it exists elsewhere, save perhaps for the National Science Foundation. It could become a powerful voice in the political process, arguing with detached objectivity for keeping-your-house-in-order actions government has neglected, as well as for focusing a redoubtable scientific community on goals, whether far out or within reach.

In grant projects, the state will not be a direct shareholder. But if its competitive technology projects are fruitful and the council gives wise guidance, California's job pool, its economic vigor and its state revenues could be gilded afresh. That'd be applied competitive technology. 🏛️

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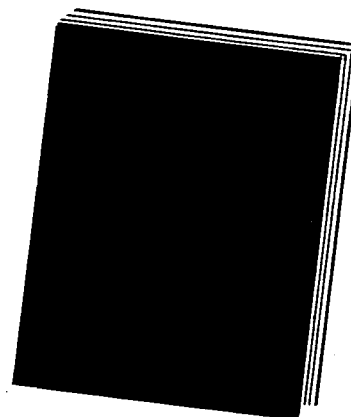
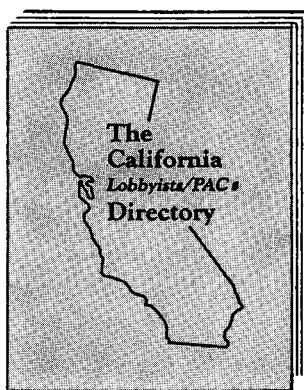
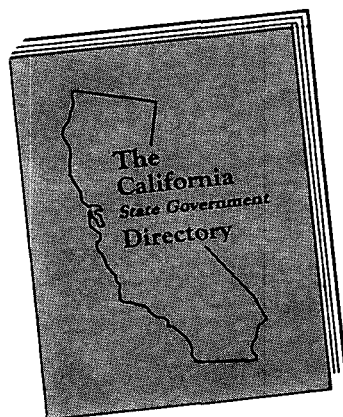
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